

The
American Historical Review

THE BOSTON MEETING OF THE AMERICAN HISTORICAL ASSOCIATION

BOSTON and Cambridge furnished unquestionably a most admirable local environment for the meetings of a national historical organization. Their historic buildings and memories held out to many members an additional inducement toward attendance, and gave opportunity between the sessions for pleasant and inspiring explorations. A large number of the members live near Boston, and the long list of presidents of historical societies who formed the honorary committee of reception showed how active is the interest in history in Massachusetts, how favorable the atmosphere to such a gathering. The places in which the public meetings were held,—the South Congregational Church in Boston and Sanders Theatre at Harvard College,—were well adapted to their purposes, and the headquarters, the Hotel Brunswick, furnished in its public rooms ample chance for conversation and social acquaintance. Even the weather, that “last infirmity” of New England celebrations, was propitious and constant.

Due acknowledgment having been made of these local advantages, it must be said that, if the fifteenth annual meeting of the American Historical Association was, in a phrase that of late bids fair to become stereotyped in the annals of this prosperous and progressive society, “the most interesting and successful meeting it has ever had,” the major portion of the credit must be divided between the committee on the programme, of which Professor Albert Bushnell Hart of Harvard University was chairman, and the local committee of arrangements, headed by Mr. A. Lawrence Lowell. Universal regret was expressed at the absence of the Secretary of the Association, Professor Herbert B. Adams of Johns Hopkins University, who from the time of its organization had never before

missed a meeting. Official and private messages of regret for his ill-health were despatched to him in Jamaica. The unwearied and skilful efforts of Mr. Lowell and his committee to provide for the comfort and convenience of all were effectively supplemented by the hospitable kindness of the President of the Association, Mr. James Ford Rhodes, and Mrs. Rhodes, of Mr. Charles Francis Adams, of the Technology Club, of the President and Fellows of Harvard College, of the President and Corporation of Radcliffe College, and of Miss Longfellow. On Wednesday afternoon, December 27, the first day of the meeting, Mr. Adams, President of the Massachusetts Historical Society, entertained the members of the Association by a luncheon in the handsome new building of that society, and the society threw open its rooms for the session of the Church History Section and of the various committees of the Association. After the President's address on Wednesday evening the Boston Public Library and the Art Museum were thrown open to the members, and the Technology Club gave them a "smoker" at its club-house near the Institute of Technology. On Thursday afternoon the President and Mrs. Rhodes received the members at the Algonquin Club, where Mr. Rhodes again entertained them in the evening, after the session, at a second "smoker." On Friday noon the President and Fellows of Harvard College gave a luncheon in the Memorial Hall. In the afternoon the ladies of the Association were given tea at Fay House, where Miss Alice Longfellow read a paper on the Craigie House, once the headquarters of Washington, later the home of Longfellow; after which they were received by her in that historic mansion. Throughout the sessions, a committee on places of historic interest, aided by members of the Old South Historical Society and the Harvard Memorial Society, furnished guidance and information to visitors. After the conclusion of the meeting there was opportunity, by invitation of the President and Trustees of Wellesley College, the Pilgrim Society, the Concord Antiquarian Society, the Lexington Historical Society and the Essex Institute, to visit, on Saturday, Wellesley College, Plymouth, Concord, Lexington and Salem.

The programme of the session was frankly devised to answer those interests which are at present uppermost in the minds of Americans who care for history. The medievalist found little to interest him professionally; the student of ancient history (if after so many years' teaching of the classics the latter person exists in America) would have found still less. Modern American problems had the foremost place. If some of the papers were not history at all, at least all were designed from the point of view of the student

of history, or of the person who believes that present problems cannot be successfully solved without an attentive study of the experience of the past. Especially was this true of the papers on American colonization with which the session of Wednesday morning was occupied. A year ago, at New Haven, the association appointed a Committee on the History of Colonies and Dependencies, Professor Henry E. Bourne of Western Reserve University being made its chairman. The committee had been able during the year to cover only parts of its extensive field of operations. Portions of its conclusions were brought before the Association at this session. Professor Bourne himself read a paper on *Some Difficulties of American Colonization*. The first difficulty to which he especially adverted was that presented by antipathies of race. These, he held, would probably be aggravated in all our new lands by the feelings and prejudices engendered in our own race-conflicts. The English, the French, and even the Spaniards, could be more impartial; having no race-problem at home, they have not only the intention of fairness, but the sentiment of it. A different sentiment is so deeply inbred in us that the more generous feeling which races often entertain toward each other in our new possessions is not likely to affect us; on the contrary, it is likely to be swallowed up in the volume of our own antipathies. Another source of difficulty is that we are so wedded to the territorial form of government that we should hesitate to cut loose from it and adopt schemes which the English or the Dutch would have no difficulty in adopting; yet the territorial régime cannot be employed without so much adaptation to new conditions as would practically make it unrecognizable. One of the most serious difficulties is that of finding, after the preliminary settlement has been achieved, the proper body in our state to which should be entrusted the slow ensuing process of constructive legislation. Congress manifestly cannot perform the task as it should be performed, by a long process marked by consistency and continuous development. Those European governments that have been successful in it have been led by experience into much the same system one with another, though with difference of details; that system, having for its principal feature legislative councils composed chiefly of members of the ruling race but partly of natives, Mr. Bourne described in outline.

Professor Frederick Wells Williams followed with a paper on *Chinese Emigrants in the Far East*, the historical portion of which is presented to our readers in the present number of the *REVIEW*.

Mr. A. L. Lowell's paper on *The Selection and Training of Colonial Officials in England, Holland and France* was, it is understood, but a brief summary of a body of material which is about to

be published in the form of a book.¹ Mr. Lowell described first the system which was pursued from 1806 to 1856 at the East India Company's college at Haileybury,—students admitted by patronage and then receiving a special training. When the Company's rule ended, a system of competitive examination was substituted, drawn up by a committee of which Macaulay was chairman, and this system is now followed. The present plan, both for India and for the Asiatic colonies, is based on two main principles: that the candidates must have an unusually good general education, and that they must not be required to spend, in preparing for the examination, time which they will have wasted if they are unsuccessful. Accordingly the examination covers only subjects of liberal study, with a large range of options, and is designed to secure men of a grade about equivalent to our "A. B. with honor." Before going to India the successful competitors spent a year in England, usually at a university, studying Indian law and languages, with training also in horsemanship. In the Netherlands the candidates, prepared at Delft, undergo at the end of a three years' course a competitive examination bearing solely on subjects connected with the Dutch Indies, only a slight general education being required; the results, according to a recent Dutch commission, justify a decided preference for the English system. The French have made so many changes of system that there has been no long test of the product.

In the discussions which followed this group of papers, Mr. Alleyne Ireland, author of the well-known book on *Tropical Colonization*, spoke of the difficulties which attend the introduction of the system of contract labor, which was nevertheless, in his judgment, inevitable in the Philippines. Dr. Clive Day of Yale University, speaking chiefly with respect to the 250,000 Chinamen in Java, showed wherein they were an economic necessity in such colonies, their function being that of middlemen on a small scale; and compared their position to that of the Jews in the Middle Ages. Mr. Arthur Lord of Plymouth spoke of the application of the principles of civil-service reform to the new possessions. Though we could not demand highly specialized training or provide pensions, it was possible to insist that appointees should have youth, health, some experience in administrative duties and an acquaintance with Spanish and with the language of the district. Professor H. Morse Stephens of Cornell University declared that if a system of patronage was followed in appointments, a college to train the appointees was a necessity.¹ English experience had shown, especially at the time

¹ *Colonial Civil Service; The Selection and Training of Colonial Officials in England, Holland and France*, by A. Lawrence Lowell; with an account of the East India College at Haileybury (1806-1857) by H. Morse Stephens (New York, Macmillan).

of the Mutiny, that it had also a high value in making the officials all brothers ; yet with this went a tendency to become cliquy, and the government of India would have become an aristocratic tyranny had it not been for the constant practice of sending out as governors persons of commanding social position independent of the Indian service, and English barristers as judges.

The session of the Church History Section, held in the afternoon at the rooms of the Massachusetts Historical Society, was moderately well attended, although the absence of academic teachers of church history from the meetings was more marked than usual. Professor Moses Coit Tyler of Cornell University, second vice-president of the association, occupied the chair. Professor Egbert C. Smyth, who was announced to speak on the Christology of Origen, substituted for this a paper on the early theory that Christ's death was a ransom paid to Satan. He disputed the statement that such a theory could be called the definite and prevailing view of the early centuries. Authors who held it, *e. g.*, Irenaeus, also held other views. The fathers of the fourth century boldly rejected it. The ransom theory declined, lost seriousness, even became playful. The sacrificial theory, it was maintained, was the firmer and prevalent view of the early Church.¹

The Rev. W. G. Andrews of Guilford, Connecticut, read a paper on A Recent Service of Church History to the Church. The first third of the century in America was characterized by union and co-operation of denominations in Christian work. In the second third of the century, this period of good feeling was over. The denominations became conscious of their distinctive mission, and division or hostility became the tendency. At the same time this self-consciousness of the denominations turned to the story of their past. Denominational histories awakened interest in a more general study of Christian history as a whole. The result of this has been a diminution of prejudice and an appreciation of what is common to all forms of Christianity. While uniformity in opinion and ritual is less valued, there is, as the result of this study of Christian history, a longing for essential unity.

The Rev. H. S. Burrage of Portland, Maine, dealt with the question, Why was Roger Williams Banished? He argued against the claim of the late Dr. Henry M. Dexter that the banishment took place for reasons purely political. Williams's doctrine of soul-liberty was expressly mentioned by Governor Haynes in the sentence of banishment as one of the causes that led to banishment. Similarly the record of the magistrates of the Bay Colony in 1676,

¹ This paper has since been printed as a pamphlet, *Ransom to Satan*.

which allowed Williams an asylum in the colony during Indian troubles, expressly states that the banishment had been for having broached new and dangerous opinions. The condition of re-entering the colony is that he should not vent any of his different opinions in matters of religion to the dissatisfaction of any. The conclusion was that the doctrine of soul-liberty was certainly one ground for the banishment. In the discussion of this paper by the Rev. E. H. Byington and Professor George P. Fisher, it was held that the impracticable temperament of Williams was a serious trouble to a feeble colony exposed to dangers and in need of social harmony.

At the formal session of the Association in the evening, Governor Wolcott gave an address of welcome on behalf of the Commonwealth, dwelling especially upon the long roll of notable Massachusetts historians. The remainder of the session was given to the inaugural address of the President, Mr. James Ford Rhodes, a thoughtful and suggestive paper in which, taking history in general as his theme, he dwelt on the characteristics of historical writing in recent years, and the instruction which might be drawn from its contrasts with the historical books of the ancients. Conceding to poetry and the mathematical and physical sciences a precedence over history in the realm of intellectual endeavor, he called attention to the secure place which history holds in modern minds, especially during the last forty years, during which the doctrine of evolution has entered so vitally into all studies of man. And yet, if the English, Germans and Americans should join in a vote as to who were the two chief historians, there was little doubt that Thucydides and Tacitus would be chosen, and that Herodotus and Gibbon would come next. It was profitable to inquire into the reasons of their abiding supremacy. Diligence, accuracy, impartiality and love of truth were the merits commonly ascribed to Thucydides and to Tacitus as constituting their primary claims to such a position. Yet there were modern historians who must be conceded to equal them in these respects. In seeking for more special and peculiar merits, we must lay considerable weight upon the fact that Thucydides and Tacitus give a compressed narrative, say much in few words. Nor is our modern prolixity to be excused by alleging a much greater abundance of materials; when sifted, our evidences reduce to moderate compass. Describing the modes in which these ancient historians gathered their materials, he pointed out, as one source of their abiding superiority, that by long reflection and studious method they had better digested their materials and compressed their narrations. Another source of their superi-

ority, he urged, lay in the fact that they, and Herodotus also, wrote what was practically contemporaneous history. He argued warmly the advantage of contemporary periods as fields of work; these times one could understand directly and with little effort, and life and color and freshness lay ready at hand. In many treatises it is insisted that the historian "shall have a fine constructive imagination; for how can he recreate his historic period unless he live in it? In the same treatises it is asserted that contemporary history cannot be written correctly, for impartiality in the treatment of events near at hand is impossible. Therefore the canon requires the quality of a great poet, and denies that there may be had the merit of a judge, in a country where there are no great poets, but where candid judges abound." Mr. Rhodes's address has been printed in the *Atlantic Monthly* for February. To those who give themselves the pleasure of reading it no impression, we feel sure, will be more vivid than that of the warm admiration which our historian, surely a modern of the moderns, entertains for Thucydides.

Thursday morning's session was devoted to papers in which the claims of various fields of history upon the attention of students were advocated or compared. Mr. Charles Francis Adams, in a brilliant paper, urged the need, upon the part of historians, of a closer study of military history, and dwelt, with the authority of one who has borne a distinguished part both in military life and in the writing of history, upon the shortcomings of those general historians who have plunged into the military portions of their themes without possessing or striving to acquire that technical knowledge without which they could not hope to succeed. Quoting a forcible passage to this effect from his inaugural address read at the opening of the new building of the Massachusetts Historical Society, he elaborated his positions with illustrations drawn from the battles of Quebec, Bunker Hill, Long Island, Bladensburg and New Orleans. Speaking of the battle of Quebec upon the basis of recent examination of the ground, he showed how misleading was in some respects the account of it given by a civilian historian like Parkman, and how largely such writers, from want of professional training or technical knowledge, missed the really perplexing questions respecting a battle; in this case, for instance, why Montcalm fought at all. In the case of the other battles mentioned, Mr. Adams showed how the leading questions of their conditions and conduct appeared to the mind of a military student, and how in many cases civilian historians had misunderstood their strategy or tactics or had ignored the really instructive lessons to be drawn from them; but for want of time this part of the paper was mostly

omitted in the reading. Mr. Adams held that in the future the general historian, utterly unable to be expert in all those branches of human knowledge which enter into history, must assume to himself more largely a judicial function, trusting himself to the guidance of trained specialists and trying to make among them the wisest choice. In an interesting passage of the paper he paid a warm tribute to the military histories of the late John C. Ropes, admitting him as a brilliant exception to his criticisms of civilian writers, and as indeed the foremost of American military critics.

Under the title "Sacred and Profane History," Professor J. H. Robinson of Columbia University, after emphasizing the distinction between the mode of composition appropriate in books intended for professional uses and that which is suitable in general histories intended for the public and for students in schools and colleges, declared that no deficiency in our current manuals was so striking as their neglect to deal properly with the history of the Church, especially the Church of the Middle Ages. There was no doubt a strong temptation to read into the past our modern notion of separation between Church and State; but to write history upon a basis furnished by this idea, and still more to yield so far to ancient Protestant bias as to represent the Roman Church as a band of conspirators opposed for a thousand years to the needs and best interests of Europe, is to make our whole notion of medieval history distorted and incoherent. In reality, the medieval Church was the most characteristic and natural production of the social and moral conditions of the Middle Ages. It was a state, usually far more powerful and efficient than the secular authority. Studied without prejudice but with sympathy and with an eye to its governmental, moral and spiritual influence, it should be given that place and prominence in histories which it had in fact. The history of churches and of religion in modern times was, he urged, similarly important and similarly neglected in general works.

Professor W. J. Ashley of Harvard University followed with a paper on the claims and position of economic history. As the vehement ecclesiastical disputes of an earlier age had brought about an ardent interest in ecclesiastical history, even on the part of laymen, and as the constitutional and political disputes of a later time had produced an unusual abundance of constitutional and political historians, so, he reasoned, a more active study of economic history must inevitably result from the constant modern questionings of economic conditions. Socialist critics and conservative defenders of the existing régime have alike begun already to turn to historical investigations. Whether the impulse has its effect by the infusion of a

greater amount of economic history into general works or by the making of separate and special books, does not much matter; nor whether the needful instruction be given by means of special chairs of economic history. In any case it would be a pity to have it given by professors who had an eye for economic history solely. As to the oft-raised question respecting determinism, or materialism, Mr. Ashley urged caution, there being so many cases in which, so far as the evidence is now before us, the alleged strict relations of cause and effect cannot be securely traced. As regards the controversy raised in Germany by Professor Lamprecht and his friends, he thought Lamprecht right in holding economic history to have been vastly more important than general historians (if one might judge from their actions) had believed, and that he had done a useful work; but that he had prejudiced his cause by claiming too much and proving too little. Fortunately, however, the claims of economic history were not bound up with those of materialistic theorists or with those of Lamprecht's admirers. We are informed that Mr. Ashley's paper is before long to be published in a volume of essays.

A paper on social history, announced in the programme, was not presented. Professor A. D. Morse of Amherst College, who had been engaged to lead the discussion of the paper, remarked upon the peculiarities of American social organization, when studied, as it may most readily and typically be studied, in small communities of from two to ten thousand inhabitants. Society should be so organized as to give the fullest and most powerful influence to the strongest and best individuals. On examining our communities, one finds them organized in small groups, in each of which personal influence is strong, but beyond the borders of which it does not readily pass. In this sense American society was much better organized in the colonial period than it now is. The social organization, which is necessarily aristocratic, was disestablished and deprived of power by the rise of American democracy. In further discussion of the morning's papers, Professor J. W. Platner of Harvard Divinity School advocated a fuller study of the history of religion, conceived in the broadest sense. Mrs. Robert Abbe of New York, the indefatigable promoter of clubs and classes for the study of American history among the children, especially the poor children, of New York, gave a lively and entertaining description of the manner in which these classes have been organized and conducted, and of the valuable results which have already been obtained.

The evening session was opened by a paper by Miss Ruth Putnam of New York, on the Dutch historian Robert Fruin, late pro-

fessor of Dutch history at Leyden. Fruin, who at the time of his death in January, 1899, was universally regarded as the first of Dutch historical scholars, was born at Rotterdam in 1823, and obtained his doctorate at Leyden in 1847. He became a teacher of Dutch history in the Leyden gymnasium, and in 1856 published his *Tien Jaren uit den Tachtigjarigen Oorlog* ("Ten Years from the Eighty Years' War") a brilliant monograph which made his reputation permanent. He wrote no other book but, being chosen in 1860 as professor of Dutch history at Leyden, the first professor of that specialty that the country had ever had, he promoted its study by thirty-four years of teaching and by numerous articles of high value in scientific and literary journals.

Under the title, "Should Recent European History have a Place in the College Curriculum?" Professor C. M. Andrews, of Bryn Mawr College, dealt especially with the history of the last thirty years. That history has been generally considered unavailable for scholarly historical treatment; but he thought that this view had been accepted somewhat too readily in colleges. Objections doubtless lay against any treatment that should assume to be final. Yet the history of recent years is the culmination of all historical development, and logically demands treatment. Moreover, the practical value of the study would be great. To stop at 1870, and leave the rest to be learned haphazard from newspapers and other such sources, is to deprive the student, who may afterward become the man of affairs, of that historical background which is so essential in understanding the problems of today. Students whose course in history has extended continuously from some point in the past down to the present time will be much better prepared to comprehend what the world is doing today, and will be less likely to take extreme positions, such as those of the jingo or the doctrinaire.

Mr. James Breck Perkins of Rochester read a paper on French Mistakes, meaning those mistakes in colonial policy which had prevented France from acquiring such an empire as that of England. Few would deny that at the present time the influence of the British Empire far exceeds that exercised by France. Two hundred and fifty years ago such a relative position would have seemed quite unlikely. At that time, though colonial development was in an embryonic state, France was on the whole in advance of her rival across the channel, and had every prospect of bringing into existence a great colonial empire. Among the causes of her failure, a prominent place must be given to religious bigotry, but for which the French Huguenots might have done for France what the English Puritans did for Great Britain. Catholic Frenchmen, moreover,

were not afforded in the colonies that free opportunity to better their economic condition without which it was vain to expect men to emigrate. Even worse was the management of India, for while abundant attention, however misdirected, was applied to the attempt to build up an empire in the West, the French government viewed with positive indifference the golden opportunity presented to it by Dupleix for acquiring an empire of boundless importance in the East. Dupleix essayed to create an empire by means closely resembling those which had been employed by the Romans. If the directors of the French East India Company or the authorities at Versailles had properly appreciated and seconded his efforts, a French proconsul might now be ruling in Calcutta.

The discussion which followed related to the academic problem of the teaching of recent history. Professor Ferdinand Schwill of Chicago agreed with Professor Andrews. If in some respects the materials for thorough work on this period seemed unsatisfactory, yet good opportunities for learning the elements of historical criticism were often presented by newspapers and such sources, in which good and bad were intermixed, but in which the bias or point of view was an obvious one; and certainly classes were always much interested in these most recent periods. Professor Haskins of Wisconsin, while agreeing to the general proposition, especially if the study of these times was used as the culmination of a general course, thought that excessive attention to them was to be deprecated. 'The materials were too voluminous for the successful teaching of critical methods. The most successful seminaries were, as a rule, those occupied with medieval history, which presented a small and compact body of material.

Friday's sessions were held at Cambridge, at Harvard University, the public session of the morning in Sanders Theatre, the business meeting of the afternoon in the Fogg Art Museum. The former was occupied with papers and discussions respecting the foreign relations of the United States. Professor John B. McMaster of the University of Pennsylvania, speaking on the Government of Foreigners, declared that the inhabitants of the foreign possessions recently acquired by the United States were not embraced within the provisions of the Constitution, and maintained this view by arguments drawn from the history of previous acquisitions, especially that of Louisiana, and by citation of the authority of the Supreme Court in well-known cases.

Baron Speck von Sternburg, secretary of the German Legation to the United States and a member of the recent international Samoan Commission, read in admirable English a paper on the Samoan

question. Beginning with the agreement obtained in 1872 by Commander Meade, U. S. N., by which the United States acquired the privilege of a Samoan naval station, the mission of Captain Steinburger in 1873, the American treaty of 1878 securing Pago-Pago, and the British and German treaties of 1878, he traced the history of Samoan affairs during the prime ministry of Steinburger and the subsequent petty war of consuls, down to the time of the great hurricane in Apia harbor. He then gave a history of the Berlin conference of 1889, and of the results of the tripartite agreement then effected. Anarchy prevailing, the three powers sent out last May a Joint High Commission, which succeeded in disarming the two rival native armies, breaking up military rule, and establishing a strong temporary civil government. The proposals which they laid before the three powers, and which took effect in the treaty signed on December 2, 1899, were described, and the happiest auguries expressed as to the future quiet and prosperity of the islands under the new arrangements.

The next paper, by Professor Edward G. Bourne of Yale University, on *The United States and Mexico, 1847-1848*, is that which we have the pleasure of presenting on subsequent pages of the present number.

The paper by Professor S. M. Macvane of Harvard University, on *Democracy and Diplomacy*, consisted in a discussion of the effect which the rise and advance of modern democracy has had on the conduct of diplomatic negotiations, and of the question whether, on the whole, democratic government makes for peace, as its admirers of a hundred years ago unquestionably expected that it would. He contended that, of the ten important wars which have occurred within the present century, seven arose not from any inherent difficulty of effecting a peaceable solution, but from the exasperation of popular feeling. Under a democratic form of government national sentiment interferes with calm consideration. The telegraph and the cheap newspaper have within the last fifty years made diplomacy more difficult; excitement is sooner brought to bear, and the diplomat has not so free a hand. Secrecy is less possible; and while it is the abuses of publicity against which we object rather than the publicity itself, apparently the two are inseparable. Professor Macvane also argued against the doctrine that the citizen ought not to oppose an aggressive policy on the part of his government lest he encourage the enemy; and against the doctrine that the best mode by which to maintain peace is to be always prepared for war.

Professor J. B. Moore of Columbia University, formerly Assist-

ant Secretary of State, thought Professor Macvane's picture of the earlier diplomacy unhistoric. He maintained that there was no such contrast as had been indicated, with respect to dependence of diplomacy upon the popular will. In monarchical times, also, wars had frequently arisen out of popular excitement. In reality, though popular excitement often appeared upon the surface to be the cause of war, a deeper consideration would often show that there had been conflicting national interests of sufficient magnitude to make war inevitable.

Professor H. P. Judson of the University of Chicago spoke chiefly upon the problem discussed in Professor McMaster's paper. He contended that the term "United States" is used in the Constitution in two senses, one geographical and international, in which sense the territories are a part of the United States, and the other constitutional, in which sense they are not. He believed that the limitations expressed in the Constitution with regard to taxes on imports applied to the states only, and that the maintenance of a revenue tariff in the islands while a protective tariff was maintained at home was not unconstitutional. As to citizenship, he believed that, since the United States and places subject to their jurisdiction were contrasted in the Thirteenth Amendment, in the Fourteenth Amendment also the phrase "United States" did not include the latter. Mr. Edwin V. Morgan, who had lately been Secretary to the Samoan Commission, set forth, upon the basis of their experiences in Samoa, the necessity that those who are to take part in governing our new possessions shall study, upon the spot, the languages, customs and religions of the inhabitants.

At the session devoted to business, the election of officers resulted in the choice of Dr. Edward Eggleston as President, Professor Moses Coit Tyler becoming First Vice-President, and Mr. Charles Francis Adams being elected Second Vice-President. Professor H. Morse Stephens of Cornell University was re-elected a member of the Board of Editors of the *AMERICAN HISTORICAL REVIEW*. Professors Stephens and Turner resigning from the Executive Council, their places were supplied by the election of Professor W. A. Dunning and Hon. Peter White. Professor J. F. Jameson resigned the chairmanship of the Historical Manuscripts Commission, and Mr. R. G. Thwaites, Secretary of the State Historical Society of Wisconsin, was chosen in his place. A full list of the officers of the Association and of the members of its committees is given on a later page, at the end of the present article. The Association has, from the beginning of its history, had but one honorary member, the late Professor Leopold von Ranke. It now elected as honorary mem-

bers the Right Rev. Dr. William Stubbs, Bishop of Oxford, and Dr. Samuel Rawson Gardiner. Provision was made in the constitution for the addition of a class of corresponding members, limited, as is honorary membership, to persons not resident in the United States.

Upon the inspection of the list of committees already mentioned, it will be seen that the Association, following its traditions of progressive development, has projected several new lines of usefulness. It has formed for the first time a committee of publication separate from the Council. It has established a Public Archives Commission, charged to investigate and report, from the point of view of historical study, upon the character, contents and functions of our public repositories of manuscript records, and having power to appoint local agents in each state, through whom their inquiries may be in part conducted. A committee was also appointed to consider the possibility of preparing a general history of the United States, composed of monographs written by various scholars. Upon the invitation of several societies in England, desiring co-operation in the expected approaching commemoration of the thousandth anniversary of the death of King Alfred, a committee was appointed to make arrangements for American participation in the expected celebration at Winchester.

After the report of the Council, in which most of these forward steps were proposed, came a most gratifying report from the treasurer. Dr. Bowen was able to report total assets of the Association amounting to \$12,581, a gain of more than a thousand dollars since a year ago. The assistant secretary reported the present number of members as 1411, which, it may be observed, is twice as many as were enrolled in December, 1896. For the Historical Manuscripts Commission, Professor J. F. Jameson reported the approaching completion of his edition of the Correspondence of John C. Calhoun, which will constitute the Fourth Report of the Commission; upon the termination of this work his chairmanship of the Commission comes to an end. Professor Hart reported for the Board of Editors of the *AMERICAN HISTORICAL REVIEW*. For the Committee on the Justin Winsor Prize, Professor C. M. Andrews reported that they had been unable to make any award this year, and asked for permission, which was granted, to draw up a definite code of rules to govern the competition for the prize. The announcement prepared by the committee will be found printed at the end of this article. On behalf of the Committee on Bibliography, Mr. A. Howard Clark made a report recommending: that Mr. Iles's proposed select bibliography of American history be referred to the Executive Council, with power to act; that Mr. W. D. Johnston's

annual Annotated Bibliography of English History be hereafter printed in the Annual Reports of the Association; that the Association print Mr. T. M. Owen's bibliography of Mississippi; that Mr. William Beer's projected bibliography of Louisiana and the Louisiana Territory be commended to the attention of the Council; and that the project of an index to historical articles printed in serials not indexed in "Poole" be commended to the attention of the American Library Association.

After the passage of votes of thanks to the retiring president, Mr. Rhodes, to Mr. A. L. Lowell, to Professor A. B. Hart, and to the various persons to whose hospitality in Boston and in Cambridge the society was indebted, the American Historical Association adjourned. The next meeting is to be held in Detroit, on Thursday, Friday and Saturday, December 27, 28 and 29. It is expected that the American Economic Association will meet at the same time and place.

In the evening about a hundred and fifty members of the Association took part in a banquet at the Hotel Brunswick in Boston. Professor H. Morse Stephens acted as toastmaster, and speeches were made by Colonel Thomas Wentworth Higginson, and by Professors Hart, J. B. Moore and Judson.

The committee on the Justin Winsor Prize desire to make the following announcement:

The Justin Winsor Prize of one hundred dollars offered by the American Historical Association for the encouragement of less well-known writers, will be awarded for the year 1900 to the best unpublished monographic work based upon original investigation in American history, which shall be submitted to the committee of award on or before October 1, 1900. If not typewritten the work must be written legibly upon only one side of the sheet, and must be in form ready for publication. In making the award the committee will take into consideration not only research and originality but also clearness of expression, logical arrangement and literary form. No prize will be awarded unless the work submitted shall be of a high degree of excellence. The successful essay will be published by the American Historical Association.

CHARLES M. ANDREWS,
Chairman.

OFFICERS AND COMMITTEES OF THE AMERICAN HISTORICAL
ASSOCIATION

<i>President,</i>	Edward Eggleston, Esq.
<i>First Vice-President,</i>	Professor Moses Coit Tyler.
<i>Second Vice-President,</i>	Charles Francis Adams, Esq.
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Committee to co-operate with the Royal Societies of England in commemorating the One-Thousandth Anniversary of the Death of King Alfred: Professor John M. Vincent, chairman, Professor H. Morse Stephens, M. M. Bigelow, Esq.

Committee to consider the possibility of unifying the Public Repositories of Historical Manuscripts at Washington: James F. Rhodes, Esq., chairman, Professors H. B. Adams and W. M. Sloane.

¹ Have declined to serve.

THE PROBLEM OF THE NORTH

A STUDY IN ENGLISH BORDER HISTORY

THE task of bringing the border counties of England into line with the rest of the kingdom was not the least troublesome of the problems of internal policy that confronted Henry VIII. and his ministers. Wolsey handled the difficulty with very indifferent success; it remained for Cromwell (or for the King acting through Cromwell) to deal with the Pilgrimage of Grace and to undertake, after that movement had been suppressed, the reconstruction of the North. For this purpose the northern counties were placed under the direct control of the King and his council, and consequently to a great extent beyond the reach of Parliament and the common law. An offshoot of the privy council, called into being by royal commission under the official style of the President and Council of the North and vested with practically absolute administrative and judicial powers, was in 1537 placed at York.

This review of familiar facts raises the question of the origin of the problem which Henry VIII. solved in this arbitrary fashion. The answer to that question will affect any estimate of the character and motives of Henry VIII. For if the disaffection of the northern counties and their subsequent rebellion was due to the King's determination to render himself absolute, even at the cost of a change of religion, then the harsh treatment they received must be condemned as mere tyranny. But if the causes of the trouble in the North lay deeper than this, if the northern counties had from early times been kept on a footing somewhat different from the other English counties, so as never to have been quite assimilated to the rest of the kingdom, then Henry VIII.'s measures will appear in an altered light. In the King's dealing with the North will be seen an effort to complete the consolidation of England which will go far to account for, if not to mitigate, the harshness and brutality which were undoubtedly practised. It is hoped that the present study will show this to be the just view of the case.

The circumstances which differentiated the northern counties from the rest of England were, first, the fact that they did not actually form part of the kingdom until late in the reign of Henry II.; sec-

ond, the development, in the thirteenth century, of a special jurisdiction of the marches which in military and (although in a less degree) judicial affairs extended over Northumberland, Cumberland and Westmoreland, and influenced Lancaster, Durham and York; third, the war with Scotland during the fourteenth and fifteenth centuries, which tended to throw the administration of the border counties directly into the hands of the King and his council and to retard civilization by frequent devastations of the North; last, the circumstances of the Wars of the Roses, during which the extensive influence exerted in behalf of a revived feudalism by the families of Nevill and Percy created a feeling of local independence and segregation from the rest of the kingdom. These, in the main, were the factors that went to make up the problem which presented itself in the beginning of the sixteenth century. Some consideration of the points here suggested is necessary before passing to the efforts to solve the problem which culminated in the erection of the Council of the North.

The counties of Westmoreland, Cumberland and Lancaster, and Northumberland, Durham and York, formed parts respectively of the ancient kingdoms of Cumbria and Northumbria. The kingdom of Northumbria extended northward to the Forth and southward to the Humber, and the district between Forth and Tweed known as Lothian was not obtained by the Scots king until the year 1018.¹ Northumbria was conquered by Wessex and divided, and eventually the ancient kingdom split up into the two earldoms of Northumberland and York. It has been convincingly argued that the independence of the Northumbrians survived their conquest by the West Saxons, expressing itself at first in the influence exerted by the local witan in the choice of rulers, and later in the persons of the earls of Northumberland and the lords of the great northern franchises such as Durham, Richmond, Lancaster, Hexham and Tyne-mouth.²

The northwestern part of England had been, since the year 945, held by the Scots kings, of the English crown. But the suzerainty thus exercised was very vague and ill-defined.³

The counties of Northumberland, Cumberland, Westmoreland and Durham were not included in the Domesday Survey, and the accounts of Cheshire and Yorkshire show that the King had but a limited interest in those districts.⁴ The absence of the northern

¹ Hume Brown, *History of Scotland*, I. 43.

² W. Page, *Northumbrian Palatinates*, in *Archæologia*, Vol. L.I. pt. 1, pp. 143 ff.

³ *Anglo-Saxon Chronicle*, A. D. 945 (Rolls Series), I. 212-213; Stubbs, *Constitutional History*, I. 595.

⁴ *Domesday Book*, I. 262-270, 298-333.

counties from a survey which was intended to embrace the whole territory of England has never been satisfactorily explained, although it is generally accounted for on the ground that the North had not yet sufficiently recovered from the Conqueror's devastations to make it worth while to send commissioners there.¹ Now the county of Durham is understood to have been more effectively ravaged than any other part of the North.² But if the theory be accepted that in six years this county had not sufficiently recuperated to make it worth the King's while to send his commissioners there, how is this to be reconciled with the fact that in another six years³ the Bishop of Durham was able to build the greater part of what to-day remains the most splendid ecclesiastical fabric in England? It has been more plausibly suggested that the omitted counties were either in the hands of the Scots, "or else in such condition as no Commissioners dare adventure into them, to take the Returns of Juries, and make the Survey."⁴ At this time, probably, there was no very clear distinction between Lothians and Northumbrians as Scots and Englishmen, and the undescribed district included the earldoms of Cumberland and Northumberland, both of which possessed a high degree of local independence.⁵ Domesday Book was primarily a geld-book, and the chief purpose of the survey was to increase the King's revenue.⁶ Therefore the King would not send his commissioners into districts where he could not expect to take revenue. But it has been seen that the earldoms of Cumberland and Northumberland were independent of the crown in local affairs, and Durham and Chester, although not yet palatinates, already enjoyed high immunities.⁷ Again, the King had as yet no castle north of Tees. Bamborough belonged to the earls of Northumberland, Norham and Newcastle were still to be, and Durham, although founded by the Conqueror, belonged to the bishop.⁸ In the eleventh century,

¹ Kelham, *Domesday Book Illustrated*, p. 15; Ellis, *Introduction to Domesday*, I. 35-40.

² William of Malmesbury, *Gesta Pontificum* (Rolls Series), 271; *Domesday Studies*, II. 494.

³ This is the extreme limit. William de St. Carilef, Bishop of Durham, was banished in 1088 and did not return to England until 1093, when he immediately began the construction of Durham Cathedral. But there is nothing to prove that he might not have undertaken the work in 1088.

⁴ Brady, *Introduction to the Old English History*, App., p. 17.

⁵ *Pipe Rolls for the Northern Counties* (Society of Antiquaries of Newcastle-upon-Tyne), Introduction, p. iv.

⁶ Maitland, *Domesday Book and Beyond*, p. 3.

⁷ Page, *Northumbrian Palatinates*, in *Archaeologia*, Vol. LI. pt. 1., pp. 143 ff.; Sitwell, *The Barons of Pulford*, Introduction, p. ix ff.

⁸ Symeon of Durham (Rolls Series), II. 199-200, 260; Brand, *History of Newcastle-upon-Tyne*, II. 127 ff.; *History of Northumberland* (Northumberland County History Committee), I. 22.

then, the northern counties did not, for administrative purposes, form an integral part of the English kingdom.

During the first half of the twelfth century the Scots kings made an attempt to attach the north of England to their kingdom. This effort was much favored by the feudalization of the Scottish lowlands at the hands of Norman adventurers whose rapid success went far toward obliterating any distinction that might earlier have existed between the north-country Englishman and the lowland Scot. The Normans were welcomed by the Scots kings, from whom they obtained grants of land. They built castles and founded great families which, extending across the border in either direction, did homage to both kings.¹ The families of Bruce and Balliol were English before they were Scottish, and David I. was an English earl, as well as the Scots king.² In the law, as well, distinctions vanished and in the next century a version of Glanvill's book became popular in Scotland.³

So the similarity of language, institutions and religion, on either side of the border, conspired to make the adhesion of the northern counties of England to one or the other crown a matter of political convenience. The territory was equally fit to be worked into either kingdom in the then state of the royal power. Still, the English kings would no doubt have the more difficult task in proportion as they were able, in the rest of their kingdom, to apply strict principles of royal as opposed to feudal government. The body of the English kingdom could be controlled or coerced by a strong king, but in the North the feudal lords emulated the independence of their fellows across the border where the feudal system had reached a high development. This difficulty was complicated by that feudal interpenetration which has already been noticed and which proceeded to such an extent that many great barons could hardly have known to which nation they belonged.⁴

¹ Stubbs, *Constitutional History*, I. 596-597; Burton, *History of Scotland*, II. chs. xiii.-xiv.; Neilson, *The Motes in Norman Scotland*, in *Scottish Review*, October, 1898. The latter writer shows that no less than fifty-one Norman castles, constructed at this period, are still to be identified in the Scottish border counties.

² A less prominent but equally striking example of this feudal interpenetration of the two kingdoms is furnished by the family of Umfraville. In the thirteenth century Gilbert de Umfraville was earl of Angus in Scotland and also an English baron with wide estates in Durham and Northumberland. In 1297 his summons to the English parliament as earl of Angus created much perplexity. Again, in the early twelfth century the Scottish lordship of Liddesdale was held by Randolph de Soulis, a baron of Northamptonshire who had estates in Northumberland as well (*Placita de Quo Warranto*, Rec. Com., 604; Banks, *Baronia Anglica Concentrata*, I. 103-105; Armstrong, *History of Liddesdale*, pp. 123-125.)

³ Pollock and Maitland, *History of English Law*, I. 145, 200-201.

⁴ Stubbs, *Constitutional History*, I. 597; Pollock and Maitland, *History of English Law*, I. 202.

The history of the attempt of the Scots kings to acquire the northern counties of England, and the ultimate failure of that attempt, need not be reviewed here.¹ But one often unnoticed phase of the struggle is worthy of attention as showing the undecided—it is too early to call it disloyal—state of the North. Both David I. and William the Lion intrigued to bring the bishopric of Durham under their control, and nearly succeeded. The bishops of Durham were already great among the greatest of English immunitists, and were practically independent local rulers. Upon the death of Bishop Geoffrey, in 1140, William Cumin, a creature of David's, attempted to force himself into the vacant see. Cumin secured the adhesion of the majority of the barons of the bishopric and got *de facto* possession of the temporalities, which he held for three years' time. But he could not obtain either election or consecration, and in 1143 he was obliged to give way before a canonically elected bishop supported by a few of the barons of the province.² Again, in the rebellion of 1173 Bishop Pudsey intrigued with William the Lion, agreeing to allow the Scots to pass through the bishopric and to permit the landing of French and Flemish troops at his sea-ports.³

Even after the treaty of Falaise (1174), when the captive William was glad to accept what terms he could obtain, the Scots kings did not abandon hope of pushing their frontier southward, and it was not until 1238 that anything like a definite boundary between the two kingdoms was determined.⁴ Meanwhile Henry II.'s reorganization of the central government had accomplished the formal attachment of the northern counties to the English crown. But although the danger of these counties ever becoming Scottish was thus averted, a difference between them and the rest of England was frankly acknowledged in the institution and government of the marches against Scotland. Accordingly the nature of the march government and its reaction on the adjacent counties must be considered.

Such natural boundaries as the river Tweed and the Cheviot Hills could be, and were, defined and defended by castles of which

¹ See Burton, *History of Scotland*, II., chs. xiii-xiv; Stubbs, *Constitutional History*, I. 596-597.

² Symeon of Durham (Rolls Series), I. 143-167. The story is told at length, and in very indifferent verse, in the *Dialogues* of Laurence, prior of Durham, edited for the Surtees Society by the late Canon Raine, who discussed the whole question in an interesting preface. Laurence's account is contemporary.

³ Geoffrey de Coldingham, *Historia*, cap. vi., in *Historiae Dunelmensis Scriptores Tres* (Surtees Society), p. 10; Jordan Fantosme, *Chronicle* (Surtees Society), pp. 26, 72; Jerningham, *Norham Castle*, p. 100.

⁴ Burton, *History of Scotland*, II. 77-82.

Berwick, Norham and Roxburgh are types. But even these natural and artificial defences did not prevent constant raids and petty warfare which kept the whole country north and south of the border in a state of perpetual demoralization. Further westward, where the natural boundary failed, this dislocated condition was aggravated by the presence of a strip of debatable land. The most definite part of the border was open to dispute, and was much questioned even during the peaceful time in the thirteenth century.¹ But the marches do not clearly come into view until 1249, when, by a treaty concluded in that year between Henry III. and Alexander III., the vague body of rules that had hitherto formed the *modus vivendi* on the borders was arranged and amplified.² The east, middle and west marches of England against Scotland comprised parts of the counties of Northumberland and Cumberland and contained the fortified cities of Berwick-on-Tweed and Carlisle. This district was placed in charge of wardens of the marches, who administered march law, and had general civil and military powers. Under certain conditions their authority extended over the adjacent counties. The courts of the marches, or warden courts, concerned themselves chiefly with criminal matters such as march treason, which consisted of illicit communication with the Scots and was punishable with death. But they also entertained some contentious litigation.³ At the commencement of the fourteenth century the military authority of the march officials began to be extended over the adjacent counties. Their powers were much increased, and they were sometimes styled wardens of Cumberland, or Westmoreland, or Northumberland and the adjacent marches.⁴ The bishopric of Durham was at this time a county palatine into which the king's officers could not enter in the discharge of their duties. Chester, on the west, was in the same position, and north of Chester lay the great honor of Lancaster, soon to be raised to the palatine dignity.⁵ Thus at the beginning of the fourteenth century the whole of the north of England was under special or extraordinary administrative conditions.

In 1333 the judicial functions of the wardens of the marches were extended so as to include a kind of high police jurisdiction, with powers of arrest and imprisonment. Those who were im-

¹ *Royal Letters of the Reign of Henry III.* (Rolls Series), I. 186-188; *Foedera* (Rec. Com.), Vol. I. pt. ii., pp. 544-565.

² Nicolson, *Leges Marchiarum*, pp. 1-9.

³ Nicolson, *Leges Marchiarum*, p. 3; Redpath, *Border History*, pp. 17-96; Armstrong, *History of Liddesdale*, pp. 1-13.

⁴ *Rotuli Scotiae* (Rec. Com.), I. 135, 140, 141, 149, 166, 189, 194, 203; *Foedera* (Rec. Com.), III. 495.

⁵ Surtees, *History of Durham*, I. xv.-lv.; Ormerod, *History of Chester*, I. 9-55; Baines, *History of Lancaster*, I. 199-240.

prisoned by this authority could not be brought to trial before the justices of goal-delivery, but had to wait the King's special command. As this authority extended beyond the marches to the adjacent counties, these counties were thus to a certain extent withdrawn from the jurisdiction of the common law.¹

In 1370 the wardens of the marches were commissioned to visit all liberties, castles, and privileged districts in the northern counties, for the purpose of arresting offenders against their authority and, in general, of correcting abuses. They had also the duty of maintaining the truce recently concluded with Scotland, which involved a civil and criminal jurisdiction over causes and offenses arising under the terms of that truce.² Similar commissions issued in 1377.³ It may be inferred that the policy indicated in this extension of the wardens' authority was made necessary by the demoralized state of the northern counties after nearly a century of war with Scotland.⁴

Again, under pressure of the disorganizing effects of the war in the fourteenth century the plan of bringing the northern counties immediately under the control of the King and his council began to take shape. Already in 1297 the sheriffs of Lancaster, Westmoreland and Cumberland had a special responsibility to notify the King of invasions.⁵ In 1314 a special commission, including several of the King's ministers, was sent down to confer with the wardens and local magnates with regard to the safe-keeping of the marches and northern counties.⁶ In 1345 the northern prelates were commissioned to collect a similar assembly in the King's name, the decisions of which should be binding on the marches and neighboring counties.⁷ In the meantime the King was strengthening his personal hold on the North. In 1362 the duchy of Lancaster was erected into a palatinate for John of Gaunt,⁸ and in 1378 that prince was created king's lieutenant in the North and warden-general of the marches.⁹

¹ *Rotuli Scotiae* (Rec. Com.), I. 257; cf. *ibid.*, 276, 282, 398, 436.

² *Feodera* (Rec. Com.), III. pt. ii., 895-896.

³ *Rotuli Scotiae* (Rec. Com.), II. 2.

⁴ In the course of the fourteenth century there was a deliberate, but not very successful, effort to draw the northern counties closer to the English system by planting English colonists on, and even across, the borders. We hear a good deal of *Scotii Anglicati*, and even of *Scotia Anglicata*. But this effort, in spite of much encouragement at the hands of the English government, produced little effect. *Rotuli Scotiae* (Rec. Com.), I. 658, 752-753, 794, 856, 887, II. 207; Armstrong, *History of Liddesdale*, 131-134.

⁵ Nicolson, *Leges Marchiarum*, pp. 368-370.

⁶ *Rotuli Scotiae* (Rec. Com.), I. 113; cf. *ibid.*, 139.

⁷ *Ibid.*, I. 663.

⁸ Baines, *History of Lancaster*, I. 138; Stubbs, *Constitutional History*, II. 436-437, III. 448; G. E. C., *Complete Peerage*, II. 8-9.

⁹ *Rotuli Scotiae* (Rec. Com.), II. 14, 27, 36.

The palatine earldom of Chester was attached to the crown in the person of Edward I., and in 1389 it was permanently connected with the principality of Wales.¹ Finally, toward the close of the century the privy council begins to concern itself with the administration of the marches, auditing the accounts of the wardens and passing on their appointment.²

Thus during the fourteenth century the northern counties were kept on a different footing from the rest of England. Durham, Chester, and Lancaster were palatinates, and the two former sent no representatives to Parliament.³ Large parts of Northumberland and Cumberland were included in the marches, and the increased powers of the wardens, extending for certain purposes over all the northern counties, together with occasional special commissions, brought these counties more and more under the direct control of the King and his council, withdrawing them proportionately from the ordinary administration of the kingdom.

During the fifteenth century this tendency advanced more rapidly. In 1400 the council urged the King to go in person to the North to establish order, which was the more necessary as Richard had been very popular in that region.⁴ Later in the same year the council, sitting at Durham, adopted several measures for the defence and control of the marches. Two general superintendents were appointed, who, in association with the ordinary march authorities, formed a kind of conference or council. The loyalty of the North was doubted, for the superintendents were directed to see that the border garrisons be not composed of local troops.⁵ In 1402 and 1405 the council was again busy with the affairs of the North.⁶

As in the preceding century, the council passed upon the appointment of march officers, paid their salaries, and, in general, made provision for all expenses of defense and government in the North.⁷ Through the officers of the marches the council exercised a certain judicial authority in the North. This consisted chiefly in the application of measures for suppressing disturbances and as far as possi-

¹ Stubbs, *Constitutional History*, II. 47, III. 447; G. E. C., *Complete Peerage*, I. 225-227.

² *Proceedings of the Privy Council* (Rec. Com.), I. 9, 11, 12; *Rotuli Scotiae* (Rec. Com.), II. 96.

³ This exemption was regarded by the other northern counties in the light of an enviable privilege. Stubbs, *Constitutional History*, III. 463.

⁴ *Proceedings of the Privy Council* (Rec. Com.), I. 119.

⁵ *Ibid.*, I. 124-126.

⁶ *Ibid.*, I. 176-178, 255.

⁷ *Ibid.*, I. 333, 337, II. 8, 15, 17, 96, 108, 178, 213, III. 7, 8, V. 92, 100; *Rotuli Scotiae* (Rec. Com.), II. 219-220; *Calendar of State Papers* (Henry VIII.), II. pt. 1, No. 1365. Money for the expenses of the North was obtained by the council either as prest-money, or by the assignment of the whole or part of some tax for this purpose.

ble preserving order. But in this direction the wardens and other officers had less discretion than was allowed them in the last century. Their commissions, it is true, conferred on them more general powers of inquiry, arrest and imprisonment, but their instructions were more minute, and in most cases accused persons were to be referred to the King and his council for punishment.¹

The increased occupation of the privy council with northern affairs also appears in the practice of sending, from time to time, a committee or deputation of that body to sit on the borders for some special purpose. This was generally to negotiate a truce with the Scots, or to adjust difficulties arising out of one already in force.² By a treaty in 1449 it was provided that in the event of either King's complaining of the state of the borders, or of infractions of an existing truce, the other should send down two or three members of his council as well to right the matter of immediate complaint as to take general cognizance of border affairs.³ These commissions, although primarily of a diplomatic and international character, included considerable powers of supervision and administration of local affairs.⁴ Also the influence of the King and his council in this direction expressed itself in the occasional organization of the march officers and local magnates into a kind of informal conference or council under the presidency of a royal lieutenant, foreshadowing the devices of the early sixteenth century which eventually crystallized into the Council of the North. This matter is of sufficient importance, as illustrating the conditions and requirements of the North in the late fourteenth and fifteenth centuries and their similarity to those of the sixteenth century, to require special attention.

The lieutenant of the marches or of the North was, as his title implies, the *locum tenens regis* in those parts, representing the King and drawing his authority from the crown and council and not from Parliament. The region placed under his control was therefore necessarily withdrawn from the ordinary administration of the kingdom.⁵ The lieutenant of the North first appears, under that title, in 1378, but when Sir Andrew Harclay was created earl of Carlisle in 1322 he was given a general custody of the northern counties that

¹ *Rotuli Scotiae* (Rec. Com.), II. 287; *ibid.*, II. 470-471. The commission to the Earl of Northumberland (A. D. 1480), referred to in the later citation, is of an unusually general character, which may be partly explained by the earl's great unpopularity in the North. He was afterward murdered in a popular rising. Holinshed, *Chronicles*, III. 769-770.

² *Royal Letters of the Reign of Henry IV.* (Rolls Series), I. 52-56.

³ Nicolson, *Leges Marchiarum*, p. 131.

⁴ Cf. Coke, *Fourth Institute*, ch. xxvi.

⁵ Cf. Armstrong, *History of Liddesdale*, pp. 7-10.

amounted to a lieutenancy.¹ In 1334 and 1350 a *solus superior custos* and a *capitaneus* of the North occur.² In 1378 John of Gaunt was created king's lieutenant in the North, with wide civil and military powers and general authority over all the wardens of the marches and northern magnates.³ He administered the North for four years and in 1380 received additional powers which rendered him virtually absolute there.⁴ In 1384 he was replaced by the Earl of Northumberland, who was styled commissary general and had royal authority to grant pardons and to receive outlaws into the king's peace.⁵ Similar appointments were made in 1387, 1391 and 1434;⁶ but they do not occur during the Wars of the Roses. In 1484 the Earl of Northumberland was created *custos regis generalis* in the North,⁷ and after the accession of Henry VII. he was reappointed with the specific purpose of pacifying that region.⁸ In virtue of this office he was described as the "Chiefe ruler of the North parts."⁹ After Northumberland's death Thomas Howard, earl of Surrey, was made lieutenant-general of the North and held office until 1497.¹⁰ It should be observed that all of these appointments are of a temporary or provisional nature. Men are sent down to accomplish a specific purpose and return. The notion of a lieutenant in permanent residence, representing the continual presence of the King, does not appear until the sixteenth century.

Passing now to the conference or council organized by these royal representatives, it is clear that such a body would be a natural outgrowth of the conditions of the North. It cannot be supposed that a number of wardens, deputies, and other officers of the marches, all owing obedience to one superior officer and all charged with the same duty of quelling disturbances and protecting the country, should not have met together to determine upon common measures for the maintenance of order, defence, or aggression. This kind of conference or association of the march officers occurs as early as 1314¹¹, and in the next year there is evidence that some sort of consultation regularly preceded all arrangements for truce or armistice

¹ *Foedera* (Rec. Com.), III. 495; Stubbs, *Constitutional History*, II. 371.

² *Rotuli Scotiae* (Rec. Com.), I. 277, 737.

³ *Ibid.*, II. 14.

⁴ *Ibid.*, II. 27, 36; *Foedera* (Rec. Com.), IV. 99.

⁵ *Rotuli Scotiae* (Rec. Com.), II. 65-66.

⁶ *Ibid.*, II. 89-90, 110, 287; *Proceedings of the Privy Council* (Rec. Com.), IV. 269-277, 295-297.

⁷ *Rotuli Scotiae* (Rec. Com.), II. 463.

⁸ *Ibid.*, II. 470-471, 484.

⁹ Holinshed, *Chronicles*, III. 769-770.

¹⁰ *Ibid.*, III. 769-770, 782-783; *Dictionary of National Biography*, XXVIII. 62 ff.

¹¹ *Rotuli Scotiae* (Rec. Com.), I. 113; cf. *ibid.*, I. 139.

with the Scots.¹ Instances of this sort of assembly, sometimes including the local magnates and sometimes only the march officers, recur in 1345, 1352 and 1370.² Finally, in 1383, John of Gaunt, as king's lieutenant in the North, presides over such a meeting.³ In the beginning of the fifteenth century John of Lancaster, second son of Henry IV., represented his father in the North, administering that region in association with a kind of council of march officials.⁴ The plan of combining the local authorities into a sort of council for the defence and administration of the North is apparent in the arrangements made by the privy council preparatory to the King's departure for France in 1415.⁵ The idea is continued during the fifteenth century by the frequent commissions which issued for the negotiation of truces and for their subsequent application and maintenance. These commissions generally included the officers of the marches and several of the northern barons and prelates, and were presided over by the royal lieutenant, if such an officer happened to be present. They were authorized to hear and determine litigation arising out of the terms of the truce and to take and imprison those who neglected them.⁶ Finally, when the young Duke of York became lieutenant of the North in 1498, a council of local notables was appointed to assist him.⁷

Another and a powerful force was tending, during this century, to separate the North from the rest of England. This was the increasing local influence of the baronage expressing itself in a kind of feudal reaction. Nowhere was this tendency more apparent than in the great northern families of Nevill and Percy. The barons were the shepherds of the people, and the people recognized them as their leaders.⁸ The new and vicious feudalism of the fifteenth century, with its livery and maintenance superseding the national military system and defeating justice, tended to loosen the bonds that drew the whole kingdom together and to foster a sense of remoteness and self-sufficiency in the North.⁹ Symptoms of this appear as early as 1404.¹⁰

¹ *Rotuli Scotiae* (Rec. Com.), I. 151; *Foedera* (Rec. Com.), III. 540, 541.

² *Rotuli Scotiae* (Rec. Com.), I. 663, 670, 752, 940.

³ *Foedera* (original edition), VII. 425.

⁴ *Proceedings of the Privy Council* (Rec. Com.), I. 315, 333, 350, II. 91-96, 136-139; Stubbs, *Constitutional History*, III. 60-61; Scott, *History of Berwick-on-Tweed*, pp. 85 ff.

⁵ *Proceedings of the Privy Council* (Rec. Com.), VI. 165.

⁶ *Rotuli Scotiae* (Rec. Com.), II. 237, 256, 265, 267, 268, 272, 286, 287, 292, 294, 345, 387, 390, 413, 434.

⁷ *Ibid.*, II. 517.

⁸ Stubbs, *Constitutional History*, III. 561.

⁹ *Ibid.*, III. 548-555.

¹⁰ *Royal Letters of the Reign of Henry IV.* (Rolls Series), I. 206, 207.

The northern baronage also contrived to keep the administration of the marches almost continuously in their own hands. Throughout the century Nevills and Percies are appointed and re-appointed to the wardenships.¹ Dacres, Scropes, Mowbrays, Cliffords and De Roos, as well as the palatine bishops of Durham, also appear frequently in this capacity, and these names fill out the list of northern barons who exerted local influence.² Thus the ordinary local influence of the baronage was intensified by their extraordinary powers as lords marchers, and this second power was so constantly exercised by the two greatest northern families that men could not discriminate between the ordinary and extraordinary authority of the Percies and Nevills. Finally, the disruptive clan system obtained on the English side of the border to a much greater extent than is commonly supposed.³

These, then, were the conditions and forces tending to differentiate the North from the rest of England up to the beginning of the sixteenth century. The demoralizing effect of border warfare is readily enough understood, but the statement that the disorganization extended beyond the marches to the five northern counties needs some illustration. In 1384 it was complained in Parliament that people from Durham and Chester were in the habit of making raids, for cattle-lifting and the like, into the adjoining counties and then returning to their privileged districts beyond the reach of punishment.⁴ In the fifteenth century an effort was made to correct these disorders by legislation, and the statute prepared for this purpose also sought to check the abuse of livery and maintenance. But the futility of the act is apparent in the means taken to enforce it. The lords in parliament and all lords of franchises were asked to take a personal oath to support the statute, which was also communicated to the bishop of Durham and the chamberlain of Wales with directions that they should exact a similar oath from the people of the two palatinates.⁵ In 1488 the people of the North declined to pay their share of a tax on movables which had

¹ *Proceedings of the Privy Council* (Rec. Com.), I. 337, II. 213, IV. 269-277, VI. 65-66; *Rotuli Scotiae* (Rec. Com.), II. 287, 313, 321, 355, 372, 377, 402, 407, 422, 442, 463, 484.

² *Ibid.*, I. 940, 962, II. 53, 266, 399, 472, 486, 498, 501, 517, 522; *Proceedings of the Privy Council* (Rec. Com.), VI. 65-66; *Foedera* (original edition), XII. 399, 647; Stubbs, *Constitutional History*, III. 547.

³ *Tract illustrative of the Border Topography of Scotland*, edited by Sir H. Ellis, *Archaeologia*, XXII. 161-171.

⁴ *Rotuli Parliamentorum*, III. 201.

⁵ *Ibid.*, IV. 421-422; Bishop Langley's Chancery Roll, C., ann. 30, m. 10, Durham, Cursitor, 36 (Record Office); Calendar of Welsh Records, *Deputy Keeper's Report* XXXVI. App. ii., p. 135.

been granted to the King for the war in Brittany. The Earl of Northumberland, then lieutenant in the North, brought the matter before the King who, fearing to establish a precedent, refused to remit any part of the tax. The earl was unpopular in the north, where Richard III. had been in great favor, and when he reported the King's answer, "the rude and beastlie people . . . furiouslie and cruellie murthered both him and diverse of his household servants."¹ This outbreak originated in York and Durham.²

Thus, by way of recapitulation, it appears that up to the accession of the Tudors, the North had never been governed like the rest of England. Not definitely English until the close of Henry II.'s reign, these counties might still have been assimilated to the general system of administration had not the failure of the royal line in Scotland plunged the two countries into a war which was destined to last into modern times. In the meanwhile, the necessity for keeping the marches in order quite withdrew portions of Cumberland and Northumberland from the regular administrative system and strongly affected the government of the neighboring counties. Repeated invasions and expeditions against Scotland, bringing large armies through the North, impoverished and demoralized the country, occasioning disorders which demanded some special form of government. The administration of justice and the maintenance of the peace were seriously crippled by the large number of privileged districts and the undue local influence of the baronage. The effort to meet these difficulties by placing the North under the immediate control of the King and his council did not prove effectual, and probably contributed to increase the existing disorganization. In this way it came to pass that the problem of incorporating the northern counties with the rest of England was yet unsolved at the accession of the house of Tudor. It can not be said that Henry VIII. reached a final solution of the problem. He crushed, however, a dangerous rebellion in his own time and submitted the northern counties to such a discipline, that they were able a century later to take their natural place in the kingdom.

Some notion of the conditions and requirements of the North at the beginning of the sixteenth century has now been obtained; it remains to examine the attempts made to meet these requirements up to 1537, when a policy was adopted that for a century served its purpose well. After Surrey had suppressed the rebellion of 1488,

¹ Holinshed, *Chronicles*, III. 769-770; *Materials for a History of the Reign of Henry VII.* (Rolls Series), II. 480.

² Holinshed, *Chronicles*, III. 769-770.

Thomas, Lord Dacre of Gilsland, a nobleman of much local influence in Cumberland, became warden of the marches and held that office with few interruptions until his death in 1525.¹ Up to 1522 Dacre, in association with Sir Anthony Ughtred, captain of Berwick, and Dr. Magnus, archdeacon of the east riding of Yorkshire, administered the North under the direction of Wolsey.² In this arrangement there is latent the notion of a lieutenant and council acting as the representatives of the central government, a notion which in its inception and rudimentary development has been traced through the fourteenth and fifteenth centuries. The warden corresponds to the lieutenant; he was in constant communication with the King and privy council, submitting to them detailed reports of his actions and receiving in return equally detailed instructions.³ In 1516 and again in 1518 the warden's influence over the civil administration of the northern counties was increased.⁴ Dacre's frequent consultations with Ughtred and Magnus, and their common reports to Wolsey, represent the local council.

After the victory of Flodden Field, in 1513, the chief duty of Dacre and his colleagues was to fortify the North and establish order. Their efforts to accomplish this end were continued with very indifferent success for eight years. But in 1521 it was made apparent to Wolsey that the existing arrangements were no longer adequate.⁵ At the same time the King's intimate relation with the Queen Dowager and the infant King of Scots and the attitude of the Duke of Albany, who represented the French influence in Scotland, made it imperative that the English government should have such complete control of the borders as to prevent the unforeseen outbreak of hostilities.⁶ New measures for administering the North were therefore devised, and this marks the close of the first stage in the development of the Council of the North.

Wolsey's device to meet the new requirements consisted in the mission of a royal lieutenant to put the North in order, and the

¹ *Calendar of State Papers* (Henry VIII.), III. pt. ii., No. 3096; IV. pt. i., No. 1727.

² *Ibid.*, I. No. 1850; II. pt. i., No. 1598; II. pt. ii., No. 3365.

³ *Ibid.*, I. Nos. 380, 3577, 4105, 4870, 5090; II. pt. i., No. 2620; II. pt. ii., Nos. 3386, 4547; III. pt. i., No. 1169. Several of Dacre's reports are printed *in extenso* in Raine, *North Durham*, p. vi. ff.

⁴ *Calendar of State Papers* (Henry VIII.), II. pt. i., No. 2481; II. pt. ii., No. 4547.

⁵ "A bill of information made unto my lord Cardinal's grace for the repressing of maintainers of murder within the county of Northumberland." *Calendar*, III. pt. ii., Nos. 1920-1921. This document may have been the work of Dacre and his associates, but its origin is not clear. The original marginalia show that nearly all prisoners were sent up to London to be dealt with by the privy council.

⁶ *Ibid.*, III. pt. ii., No. 2075.

organization of a secret, permanent council to aid the lieutenant and to carry on the policy he had inaugurated. It will be seen at once that this scheme contains no novelty beyond the definite and permanent organization of the council. All the elements were tried and familiar. In February, 1522, John Kite, the newly elected bishop of Carlisle, was sent northward with full instructions for organizing the secret council. The King, it was explained, intended shortly to appoint some proper nobleman as his lieutenant north of the Trent, "to set that country in readiness." In the meantime Kite was to join Dacre at Carlisle and there to assemble certain northern gentlemen, designated as councillors.¹ The council was presided over by Lord Dacre, and Kite acted as treasurer. Troops and funds were placed at its disposal and it was entrusted with the general administration of the North.²

The appointment of a lieutenant was put off until the summer, but in the meantime the council met at the summons of Dacre.³ It was not, however, as successful as had been hoped. In May, Kite reported to Wolsey complaining of want of money, charging various members of the council with inefficiency, avarice and dishonesty, and recommending that "some good captains should be sent down."⁴ Wolsey at once remanded Kite to his diocese and deprived him of his office of treasurer to the council, which he conferred on Dacre.⁵ It is clear that from the beginning Wolsey intended that the council should be no more than a convenient mechanism for carrying out his will in the North.⁶

The time has now come for the mission of a royal lieutenant and the choice fell upon George Talbot, earl of Shrewsbury. Shrewsbury, under the title of lieutenant-general of the North, was given wide powers and minute instructions. He was to go to York and there to take over the general command of the King's troops and garrisons in the North, to suppress disturbances and to administer impartial justice in all causes. In the matter of residence he was allowed to choose among the royal houses of Pontefract, Sheriff Hutton and Barnard Castle, the first two in Yorkshire and the latter

¹ These were Sir William, Sir Robert and Sir Marmaduke Constable, Sir William Bulmer, Sir Christopher Dacre (one of the wardens of the marches), and Sir Anthony Ughtred, captain of Berwick. *Calendar*, III. pt. ii., No. 2075.

² *Ibid.*, III. pt. ii., No. 2075.

³ *Ibid.*, III. pt. ii., No. 2186.

⁴ *Ibid.*, III. pt. ii., No. 2271.

⁵ *Ibid.*, III. pt. ii., Nos. 2294-2295, 2613. A letter from Kite to Wolsey announcing that he had transferred to Dacre the funds in his possession as treasurer of the council, seems to belong here rather than in the following year where it has been placed by Mr. Brewer. *Calendar*, IV. pt. i., No. 448.

⁶ *Ibid.*, III. pt. ii., No. 2318.

in Durham. This point is of importance as defining the territorial extent of the lieutenant's jurisdiction, which was to extend southward over Yorkshire and to include the county palatine of Durham. Finally, he was to accept the aid and advice of the secret council, to which he was to add certain gentlemen designated in his instructions.¹ It was not part of Wolsey's plan to keep a lieutenant permanently resident in the North. He seems to have thought that for the purposes of ordinary administration, Dacre's long experience aided by the collective wisdom and local influence of the council, and occasionally reinforced by the presence of a royal lieutenant, would suffice to keep the North in good order. But this calculation proved to be incorrect.

Shrewsbury's mission was uneventful and not very successful.² Accordingly in the next summer (1523) the King sent down Thomas Howard, earl of Surrey. Surrey joined the council and lost no time in taking an active part in the civil, military and judicial administration of the northern counties.³ He sat with the judges in their circuits, attempted to harmonize local factions, and in general informed himself of the condition and needs of the district under his control. In August he wrote to Wolsey that the administration of justice was slack and the abuse of livery and maintenance very prevalent, that the intention of the government to put the North in order was not taken seriously, and that Wolsey's method was ineffectual. In conclusion he suggested that some great nobleman be appointed to be continually resident, assisted by such a council as already existed in the marches of Wales.⁴ From this it appears that the northern counties were still in the chaotic and disordered state in which they had been in the preceding centuries. The suggestion of a council can not be taken to imply that the body organized the year before had been disbanded, for its report to Wolsey, in August, 1523, is evidence of its continued existence.⁵ This docu-

¹ These were the Lords Darcy, Latimer, Percy and Conyers, all north-country names. The councillors were to take oath according to a form subjoined to Shrewsbury's instructions. *Calendar*, III. pt. ii., No. 2412.

² *Ibid.*, III. pt. ii., No. 2544.

³ *Ibid.*, III. pt. ii., No. 3200.

⁴ The whole of this letter is important and interesting. Surrey complained that at Durham, where he sat with the judges, "only one man, an Irishman, was hanged." At Newcastle twelve indicted persons had escaped, and although eleven others were produced, it was impossible to get evidence against them because "so few of the gentlemen of Northumberland . . . have not thieves belonging to them." The whole system is weak, "the whole country thinks the talk of administering justice here is only intended to frighten them, as no man is appointed to continue among them to see justice administered." In conclusion he says that "the judges think it is ten times more necessary to have a council here than in the marches of Wales." *Calendar*, III. pt. ii., No. 3240.

⁵ *Ibid.*, III. pt. ii., No. 3286.

ment was clearly inspired by Surrey. It recommends that the privy council take active measures for the suppression of livery and maintenance in the North, that the local council hold four sessions annually for judicial purposes, and that "some great and discreet nobleman" should be made warden of the marches and required to remain permanently in the North to see that justice was effectually administered there.¹ Surrey saw what Wolsey could not or would not see, and if the lieutenant's policy had been immediately adopted it is by no means impossible that the central government might have obtained so firm a hold upon the North that it would have been able to withstand the great strain of the change of religion and its attendant circumstances that led to the rebellion of 1536. But Wolsey must have found it hard to accept the suggestion of his rival, particularly when that suggestion involved his resigning the personal direction of a part of the administration.

The plan was therefore received in a half-hearted way, and in October Surrey was made warden of the marches.² He had no wish, however, to remain long away from the court, and in December he left the North and was immediately succeeded in his office of warden by Dacre.³ Early in the new year (1524) the secret council assembled to take action on instructions newly sent down by Wolsey.⁴

The change in the King's relations with Scotland which declared itself in the summer of 1524 made it imperative that the borders should be controlled and kept quiet. Elaborate preparations were made for the meeting between the chancellor of Scotland and Surrey (now duke of Norfolk), who was sent north to carry out the king's intention of "erecting the young king of Scotland."⁵ The negotiation failed, the border relapsed into a disordered state and the council applied its energies to arranging raids—warden-rides they were called—into Scotland.⁶ It was now apparent that the secret council, even with the aid of a lieutenant, did not meet the requirements of the case. The scheme had failed, and something new had to be devised. Here, then, closes the second stage in the development of the Council of the North.

In the summer of 1525, Henry Fitz Roy, a natural son of Henry VIII., was sent to the North as a permanent representative

¹ *Calendar*, III. pt. ii., No. 3286.

² *Ibid.*, No. 3438.

³ *Ibid.*, III. pt. ii., No. 3626.

⁴ *Ibid.*, IV. pt. i., No. 219.

⁵ *Ibid.*, IV. pt. i., Nos. 474, 498, 506, 516, 525, 530, 535, 549, 571.

⁶ *Ibid.*, IV. pt. i., No. 762; see Armstrong, *History of Liddesdale*, pp. 217-

of the King's authority in that region. Henry, at this time six years of age, was created duke of Richmond, and appointed lieutenant-general north of Trent, keeper of Carlisle and warden-general of the marches.¹ To enable him to discharge the duties connected with these offices and to administer the North the young duke was surrounded with a council having very much the same membership as the earlier secret council. It contained also Dr. Magnus and William Frankleyne, archdeacon and temporal chancellor of the bishopric of Durham, a man of the same stripe as Magnus and, like him, an agent of Wolsey. Richmond remained in the North, chiefly at Pontefract and Sheriff Hutton in Yorkshire, until 1532. During this period his council, under the close supervision of Wolsey as long as he remained in power and afterward with greater independence, conducted diplomatic relations with Scotland and administered the northern counties in the name of the Duke of Richmond. This is a slight variation of the plan of a lieutenant and council, but it introduces the element of permanence and constant residence on the part of the royal representative. These arrangements form Wolsey's final contribution to the solution of the problem. If subsequent events proved it futile it did, at least, last his time and was by him considered adequate.²

But Wolsey was mistaken. The acts of the duke's council and its relation to the central government show that it was ineffectual. A vigorous policy and sufficient independence to permit of immediate action in the face of difficulties, were demanded by the situation. Norfolk had seen this at once and the failure of the secret council had corroborated him. But Wolsey shut his eyes to all this and kept the new council, as he had kept the old one, in close leading-strings. In the autumn of 1525 the duke's council wrote to Wolsey asking for money and for leave to appoint wardens and to fill a vacancy in its own body.³ The North was now in a very disturbed condition and great efforts were made to establish order to promote the King's negotiations with Scotland. Magnus, now English resident at the court of James, went to the borders, and Norfolk was again sent down as lieutenant. But all to no purpose. In December the Earl of Westmoreland, as a last resort, summoned an assem-

¹ *Ibid.*, IV. pt. i., Nos. 1431, 1510; *Dictionary of National Biography*, XIX. 204, 205.

² In 1526 the Scots King submitted to Henry VIII. a list of gravamina entitled, "Misrule of the Borders." Wolsey endorsed this document thus, "Provision is made already to this effect by the duke of Richmond's council;" showing that he considered the duke's council the solution of the whole northern difficulty. *Calendar*, IV. pt. i., No. 2292.

³ *Ibid.*, IV. pt. i., Nos. 1727, 1779.

bly of the gentlemen of the borders and the lieutenants of the marches and begged them to observe a kind of *modus vivendi* arranged by himself and the Earl of Angus.¹ In the meantime Wolsey sent for several members of the Duke of Richmond's council to confer with him at London.² By the spring some improvement had been effected,³ and in the course of the summer the council bestirred itself and began to attend to the civil administration of the North.⁴ In August it was sitting with the judges of assize at York and Newcastle in order to secure evidence and indictments, and was trying to keep the unruly clans or "surnames" quiet by paying them.⁵ In December the council was alarmed at the consequences of its own activity. There had been serious disturbances in the North and a number of raids and robberies on the borders. The council had begun to repress these vigorously but soon found itself in conflict with the Earl of Northumberland. Terrified by the great local influence of the Percies it at once gave over the whole affair, referring it to Wolsey and the privy council.⁶

Thus ends the first year of the council's administration, a record of timorous ineptitude. But this was probably as much the fault of Wolsey as of the council. He allowed it little independence and, occupied as he was with questions of international policy, neglected the North. A new pope had recently been elected and already the question of the divorce was beginning to overshadow all other problems; so Wolsey let affairs on the border take their course. The council, however, quite recognized its own inefficiency, and pointed out to Wolsey, in terms much the same as Norfolk had used four years earlier, the measures that ought to be taken to establish order in the northern counties. During the summer of 1527 it had continued its usual activities, corresponding with the Scots King about the affairs of the border and busying itself with the civil and judicial administration of the district under its control. It sat with the judges at York and Newcastle, and appointed members of its own body to the shrievalties of Northumberland and Cumberland.⁷ But its authority was disregarded and, doubting its own legality, it implored the king to maintain its credit.⁸ Uncertain and hesitating in

¹ *Calendar of State Papers* (Henry VIII.), IV. pt. i., Nos. 1808, 1809, 1821, 1862 (ii).

² *Ibid.*, IV. pt. i., No. 1910.

³ *Ibid.*, IV. pt. i., Nos. 1980, 2004, 2031.

⁴ *Ibid.*, IV. pt. ii., No. 2402.

⁵ *Ibid.*, IV. pt. ii., No. 2402.

⁶ *Ibid.*, IV. pt. ii., Nos. 2729, 2993; cf. also *ibid.*, No. 2608.

⁷ *Ibid.*, IV. pt. ii., Nos. 3344, 3404, 3477, 3501, 3610.

⁸ *Ibid.*, IV. pt. ii., No. 3383. This was in August, 1527; the letter is signed by Magnus, Parre, Bulmer, Foljambe, Tempest, Taite and Bowes, and countersigned by Uvedale, secretary of the council. See also *Calendar*, IV. pt. ii., No. 3552.

ordinary affairs, the council found itself absolutely incapable of coping with a difficulty connected with the escape from prison of two members of the Lisle family, which in the course of the summer threatened to develop into a popular rising.¹ In November the council wrote to Wolsey confessing its entire inability to deal with the problems confronting it, and asking that some great nobleman be sent down, "to lie continually in Northumberland."²

The communication demanded and received instant attention. On December 2, 1527, the Earl of Northumberland was appointed warden-general of the marches with directions to govern the North with the aid and advice of the council which, for the rest, had undergone some reorganization.³ The new warden went north at once, and after visiting the Duke of Richmond at Pontefract, joined the council at Newcastle.⁴ He immediately proceeded to inaugurate a policy of greatly increased severity by proclaiming serious temporal and spiritual penalties against all who did not submit to the King's mercy.⁵ On January 12 he held a march court at Alnwick, where nine persons were beheaded for march treason and five hanged for felony.⁶ All through the year (1528) he and the council submitted to Wolsey constant and detailed reports of their doings.⁷ Still the council was kept in leading strings, and when in March it undertook to appoint a *locum tenens* to supply the place of its secretary it was sharply snubbed by Wolsey.⁸ In October the council professed itself unable to settle a dispute between the Earl of Cumberland and Lord Dacre and submitted the case along with a number of other similar matters to Wolsey.⁹ But the chancellor continued to affirm the legality of the council's jurisdiction by occasionally referring to it cases of which it might appropriately take cognizance.¹⁰

For three years after the fall of Wolsey the history of the North of England is involved in great obscurity, owing to the extreme scarcity of documentary evidence.¹¹ Toward the close of the year 1531 the Earl of Northumberland, still warden of the marches, submits to the King a long report on Scottish affairs and the condition

¹ *Ibid.*, IV. pt. ii., Nos. 3383, 3501, 3552.

² *Ibid.*, IV. pt. ii., No. 3552.

³ *Ibid.*, IV. pt. ii., Nos. 3628, 3629.

⁴ *Ibid.*, IV. pt. ii., No. 3689.

⁵ *Ibid.*, IV. pt. ii., Nos. 3795, 3816.

⁶ *Ibid.*, IV. pt. ii., No. 3795.

⁷ *Ibid.*, IV. pt. ii., Nos. 3849, 3850, 4132-4134, 4925.

⁸ *Ibid.*, IV. pt. ii., No. 4042.

⁹ *Ibid.*, IV. pt. ii., No. 4855.

¹⁰ *Ibid.*, IV. pt. iii., No. 5430.

¹¹ *State Papers* (Rec. Com.), IV. introduction.

of the North.¹ The council is not mentioned, but its continued existence may be inferred from its subsequent reappearance and from the fact that the Duke of Richmond remained in Yorkshire until the spring of 1532.² Richmond's departure marks the formal close of the third stage in the development of the Council of the North. But the next period, from 1532 to the outbreak of the rebellion in 1536, presents no new elements and is characterized by retrogression rather than development. After Richmond had gone there was some question of sending Norfolk again as lieutenant. But this was dropped and Northumberland retained the civil and military administration of the North.³

The council reappears in January 1533. Cromwell was now well established in power and through his agent Sir George Lawson, treasurer of Berwick, began to deal with the problem of the North. After Richmond's departure his council had joined Northumberland and they acted in common, under the style of the Lord Warden and Council of the Marches. Cromwell accepted the existence of this apparatus and controlled it through Lawson, who had charge of all the King's money which was applied to the defence of the borders. In January, 1533, Lawson wrote to Cromwell advising that the King should "send a strait letter to my Lord Warden and the Council here," with regard to the mustering of troops.⁴ The council now consisted chiefly of the local gentry, each of whom was bound to produce a certain retinue or following when a "rode" was to be undertaken. They sat with the warden at Alnwick and were chiefly concerned with the defence of the borders and the arrangement of invasions or "rodes" into Scotland.⁵ They were under the close supervision of the central government, reporting constantly to Cromwell or to the King (sometimes by letter and sometimes in the person of one of their members sent to London for the purpose), and receiving detailed instructions from them.⁶ Besides this, Lawson, from time to time, communicated his opinion of the warden and council to Cromwell.⁷

Early in 1533 Lawson suggested that, instead of relying upon private retinues, the warden and council should resort to a general levy in the northern counties. This was partly owing to his distrust of the local nobility and gentry.⁸ In February Lawson re-

¹ *State Papers* (Rec. Com.), IV. Nos. ccxv., ccxxii.

² *Dictionary of National Biography*, XIX. 204-205.

³ *State Papers* (Rec. Com.), IV. Nos. ccxxv., ccxxix., ccxxxi., ccxxxv.

⁴ *Calendar of State Papers* (Henry VIII.), VI. No. 16.

⁵ *Ibid.*, VI. Nos. 51, 124, 155, 217, 260, 322.

⁶ *Ibid.*, VI. Nos. 17, 107, 113, 322, 375, 605, 909, 1048, 1187.

⁷ *Ibid.*, VI. Nos. 51, 217.

⁸ *Ibid.*, VI. No. 16.

peated his suggestion, with the significant recommendation that the troops raised in this fashion should be commanded by captains from some other part of England.¹ He continued to urge his plan, but Northumberland, who was looking back to the feudal glories of the Percies in the fifteenth century, successfully opposed it.² Had it been adopted it is possible that the rebellion might have been immediately crushed or even averted; but the King, like Wolsey when warned by Norfolk, would not or could not see.

The council at this time was composed of five or six persons several of whom had belonged to the Duke of Richmond's council.³ It was occupied with fortifying the borders, treating with the Scottish commissioners and, in a small way, with the general administration of the North.⁴ It was officially known as the Council of the Marches.⁵

This method of administration was continued up to the very eve of the rebellion.⁶ Lawson's prudent suggestion of a general levy was not accepted,⁷ but some slight ceremonial changes, emphasizing the character of the warden as immediate representative of the King, were introduced.⁸ Under pressure of larger interests of state the King and Cromwell were neglecting the northern counties, or only dealing with the disorders there in an abrupt and intermittent fashion that produced exasperation without relief and was worse than total neglect.⁹ Cromwell was conscious of this, for in June 1535 there appears in his memoranda a note regarding the suppression of riots in the North by means of establishing there such a council as already existed in the marches of Wales.¹⁰ But the matter was allowed to stand over. In the meantime events were hurrying to a climax and no measures had been taken for controlling the North. Cromwell's agent, Barlow, wrote to him from Berwick early in 1536 describing the disordered condition of the North. "Authority," he says, "must be given to execute justice without fear of partiality, otherwise admonitions only make things worse."¹¹ Still Cromwell

¹ *Ibid.*, VI. Nos. 124, 145.

² *Ibid.*, VI. Nos. 145, 217, 269, 1589; *State Papers* (Rec. Com.), IV. Nos. ccxxxv., ccxl.

³ The members were: Magnus, Sir Thomas Clifford, Sir Thomas Wharton (who wore the Earl of Northumberland's livery but had been appointed at Cromwell's direction), and Sir Ralf Ellerkar. Both Magnus and Ellerkar had served on Richmond's council. *Calendar*, VI. Nos. 17, 51, 143, 150.

⁴ *State Papers* (Rec. Com.), IV. Nos. ccxlv., ccxvi.-cclii.

⁵ *Calendar of State Papers* (Henry VIII.), VI. No. 150.

⁶ *Calendar of State Papers* (Henry VIII.), VIII. Nos. 696, 945, 992-994.

⁷ *Ibid.*, IX. No. 1078.

⁸ *Ibid.*, VIII. No. 100.

⁹ Froude, *History of England*, III. 96.

¹⁰ *Calendar of State Papers* (Henry VIII.), VIII. No. 892.

¹¹ *Ibid.*, X. No. 286.

was not to be roused. In the course of the summer things rapidly grew worse, grew, in effect, as bad as possible, and in October the rebellion broke out. The story of the Pilgrimage of Grace has been told elsewhere;¹ for present purposes its consequences alone are important. The effort to restore order in the North after the close of the rebellion forms the last stage in the development of the Council of the North.

The organized rebellion was brought to an end by the pacification at Doncaster, December 2, 1536, but the danger of a fresh outbreak was not passed until the execution of Aske in the following July. During these seven months the North was governed under martial law by the Duke of Norfolk and a council. Early in January (1537), Norfolk, who had gone home after the meeting at Doncaster, was again on his way northward.² A few members of the council which was to help him to restore order accompanied him; the rest were northern gentlemen who were appointed to join him at Doncaster. Norfolk's instructions show that the mission of a council and lieutenant at this time was a provisional measure. The King himself intended to go northward in the summer. Meanwhile, Norfolk and the council were to hear complaints, redress grievances and in general to pacify the North by exercising as much severity as could safely be applied. The part to be played by the council is also set forth in Norfolk's instructions, "that things may be handled substantially, so that people may see the good of law and the evil of violence, his Majesty has joined with the said Duke an honourable council . . . whose advice the Duke shall in all things use."³ The rebels were required to sue out their pardons individually, and to facilitate this process Norfolk was directed to go from place to place, administering to those who sued for pardon the oath of allegiance under a special form. He had express instructions to keep all who asked for pardons "dangling" until the King's arrival.⁴ The lieutenant and council were also instructed to promote the spreading of the new religion by official preachers, and to contrive if possible to remove the religious of suppressed houses who had returned to their former seats. The lieutenant and council had high judicial authority; they were to

¹ Gairdner's account will be found in the introduction to the *Calendar of State Papers*, Vol. XI., Froude's in the *History*, III., ch. xiii.; cf. A. L. Smith, in *Social England*, III. 21-25.

² *Calendar of State Papers* (Henry VIII.), XII. pt. i., No. 86.

³ *Ibid.*, XII. pt. i., No. 98.

⁴ *Ibid.* At Doncaster Henry had promised a free pardon to all and this is the way the promise was redeemed. Froude, the apologist, does not boggle at this; he says, "Norfolk was instructed to respect literally the terms of the pardon." *History*, III. 188.

hold a bi-weekly session replacing the visits of the judges and the local courts, and to make progresses through the country taking cognizance of all commotions and offences that had occurred since the granting of the pardon in December. Considerable allowance was made for Norfolk's inability to carry out these instructions, the whole tone of which is disingenuous¹ and indicates no intention on the part of the King "to respect literally the terms of the pardon."²

Norfolk reached Pontefract on February 2, 1537.³ In the meantime the abortive rising of Bigod and Hallam had occurred and on February 12 riotous scenes, amounting to a fresh outbreak of rebellion, took place at Carlisle.⁴ On February 14 the Council of the Marches—for so the body is styled in the contemporary endorsement of the letter—wrote to the King advising him to use greater severity in dealing with these troubles,⁵ a suggestion which Henry was not slow to accept. The pacification of the North now began in earnest. The King was alarmed by the renewed outbreak of the rebellion, and Norfolk, at no time over nice, was ready to go to almost any extreme of harshness to redeem himself from the suspicion of disloyalty that he had incurred by his dealings with the insurgents at Doncaster.⁶ On February 22 the King instructed Norfolk to proclaim martial law. "You must cause such dreadful execution," he wrote, "upon a good number of the inhabitants, hanging them on trees, quartering them, and setting their heads and quarters in every town, as shall be a fearful warning, whereby shall ensue the preservation of a great multitude."⁷ Norfolk was diligent in carrying out these instructions. In Cumberland six thousand persons were arrested and brought before the council, for no convictions could be secured by jury. Seventy-four were executed, "and, sir," wrote Norfolk to the King, "though the number be nothing so great as their deserts did require to have suffered,

¹ If any one refused the oath of allegiance, "the Duke, if he thinks himself able, shall use him as the King's rebel; and if he may not proceed to that punishment without danger, he shall pretend to make light of such a fool." Persons found guilty in the progresses of inquiry "he shall afterwards cause to be apprehended and executed, if it may be done without danger . . . and if he may not do that without danger, he shall look through his fingers at their offences, and free them to continue till the King's Majesty's arrival in those parts." *Calendar*, XII. pt. i., No. 98.

² Froude, *History*, III. 188.

³ *State Papers* (Rec. Com.), I. pt. ii., No. lxxix.

⁴ Froude, *History*, III. 182-190.

⁵ *Calendar of State Papers* (Henry VIII.), XII. pt. i., No. 421. This letter is signed by T. Clifford, W. Eure, J. Weddrington, R. Collingwood, L. Gray, C. Ratcliffe and J. Horslee, but the Earl of Northumberland and one of the Bowes were also members of the council; see *Calendar*, XII. pt. i., No. 86.

⁶ See Norfolk's letter to Cromwell quoted in Froude, *History*, III. 190.

⁷ *Calendar of State Papers* (Henry VIII.), XII. pt. i., No. 479.

yet I think the like number hath not be heard of put to execution at one time."¹

These measures produced the required result, and by the middle of the summer the North was quiet. Whether it had been effectually pacified or merely stunned may be judged from the action of the next generation in 1569. For present purposes it should be noticed that the lieutenant and council of the marches were not regarded as a permanent institution. Some enduring machinery of government had yet to be devised. The discussion of this point is worth attention. A scheme of government submitted to the King early in March 1537 illustrates the general principles upon which Norfolk and Cromwell were agreed. These involved a permanent royal lieutenant and a council with greatly increased authority. It was proposed that some nobleman (who should also be a privy councillor) be appointed lieutenant, "with a discreet council commissioned to hear all causes in Cumberland, Westmoreland, Northumberland, the bishopric of Durham and Yorkshire, and that he [the lieutenant] for the most part abide in those parts."² The march laws were to be reformed and the marches practically incorporated with the adjacent counties, the authority of the wardens passing to the lieutenant, who was to exercise some of these functions by deputy. Finally, the King was, as far as possible, to take into his own hands all lordships and special jurisdictions.³

This proposition gave rise to a curious correspondence. Norfolk and his council continued to urge their scheme while Cromwell threw every difficulty in the way of its execution. Norfolk was told that no suitable nobleman could be found to assume the office of lieutenant; Dacre and Cumberland were on bad terms, Northumberland exerted too powerful an influence in the North. Would not the duke's authority, it was asked, "make even a mean man respected?"⁴ But Norfolk declined to take the responsibility of suggesting any candidate until in April he mentioned, "for the King's ear only," the names of Lord Rutland and the Earl of Westmoreland. All through the negotiation, however, he insisted on the importance of the office being held by a nobleman. Early

¹ *Calendar*, XII. pt. i., No. 498. Froude calls this "wholesome severity" and "not excessive," *History*, III. 190-192. But even Norfolk boggled at the application of wholesome severity on this scale. Before undertaking the punishment of the eastern counties he wrote to Cromwell asking how many executions the King expected in that region, and adding "folks think the last justice at Carlisle great, and if more than 20 suff[er] at Durham and York it will be talked about," *Calendar*, XII. pt. i., No. 609.

² *Calendar of State Papers* (Henry VIII.), XII. pt. i., No. 595.

³ *Ibid.* All franchises and liberties had been much curtailed by act of Parliament in 1536,—27 Henry VIII., cap. xiv., *Statutes of the Realm*, III. 555.

⁴ *Ibid.*, XII. pt. i., No. 636.

in May the King closed the discussion with a characteristic letter. He thanks Norfolk for his advice but feels sure that he will accept the decision which the King has reached, "for we will not be bound to accept the services of none but lords."¹ The explanation of this episode lies in the relations of Cromwell and Norfolk. As long as the plebeian minister remained in favor the king did not altogether trust Norfolk. The duke perfectly understood this and chafed at being kept in exile in the North. Cromwell's advantage lay in the fact that no one in England was better fitted for the office of lieutenant than Norfolk, "whom all offenders in the North regarded as their scourge."² By trying to force Norfolk to accept the task Cromwell was able at once to serve his own ends and his master's cause.

As far as concerned the selection of an agent the King carried through his plan, for the choice ultimately fell upon Cuthbert Tunstall, the pliable bishop of Durham, who became lord president of the council, the title of lieutenant having been abandoned. For the rest Norfolk had his will, but at the cost of some tergiversation. He was ill, afraid of the harsh northern winter and determined to come home. The pressure that he was able to exert on the King may be judged from a note in Cromwell's agenda for the privy council in June 1537: "If the King will recall him [Norfolk], that then a council be established there as in the Marches of Wales, and lands appointed for its support."³ On June 12 the King notified Norfolk of his intention of postponing for a year his projected visitation of the North.⁴ Under these circumstances, and out of regard for the duke's health, the King wrote, "We doo purpose shortly to revoke you, and to establishe a standing Counseill ther, for the conservation of those Countreyes in quiete, and thadministration of comen justice: which, being ones sett in a frame, We shall incontinently call you unto Us."⁵ Norfolk's answer (June 15) shows that he was beginning to recede from his original position with regard to the necessity of having a nobleman as lieutenant, for he accepts as an equivalent the appointment of the bishop of Durham as president of the council.⁶ On July 8 he wrote to Cromwell that with a council under a president, and a minister of justice "so usyng

¹ *Ibid.*, XII. pt. i., Nos. 636, 651, 667, 916, 919, 1118.

² So wrote Sir Thomas Tempest to Cromwell in July 1537. *Calendar*, XII. pt. ii., No. 238.

³ *Ibid.*, XII. pt. ii., No. 177.

⁴ The reasons generally given for this change are, the delicate state of foreign relations, the queen's pregnancy and the king's own health, which made travelling very hard for him. But it is scarcely likely that Henry would have allowed any of these considerations to weigh with him if Norfolk's vigorous policy had not been so successful in subduing the North. *Calendar*, XII. pt. ii., No. 77.

⁵ *State Papers* (Rec. Com.), I. pt. ii., No. lxxxix.

⁶ *Calendar of State Papers* (Henry VIII.), XII. pt. ii., No. 100.

hymself that men may be affrayed of hym, this contrey is nowe in that sorte, that none of the realme shalbe better governed than this."¹

Thus the question reached a final solution. There followed some discussion about the membership of the new body, which in the end included nearly all of those who had formed part of Norfolk's temporary council.² Norfolk remained in the North helping to set the new council in a frame, until September, when he was at length recalled.³ The jurisdiction of the Council of the North extended over the counties of Northumberland, Cumberland, Westmoreland, Durham and York. It had the general administrative and judicial control of this district. The council was authorized to maintain the peace and suppress disturbances, either by regular process of law or otherwise according to its discretion. It was enabled to take cognizance, to the exclusion of the ordinary courts, of all pleas and contentious litigation where one of the parties was so poor, or of such mean estate, as to be hampered in obtaining his remedy at the common law.⁴

The institution of the Council of the North contained no elements that had not been familiar, at least in a rudimentary form, since the fourteenth century. The novelty lay in the reorganization and development of these elements. The council was called into being by an act of royal prerogative, and its existence was an infringement on the authority of Parliament and the judiciary.⁵ But only the permanence and public sanction of this infringement were new. Every royal commission, every lieutenant and council of march officials that, since the fourteenth century, had sat in the northern counties, was equally an infringement upon the rights of constituted authority.

No doubt in the seventeenth century the Council of the North became at once an instrument of oppression and an obstacle to the normal development of the nation. But the institution must be judged by the conditions which brought it into being, not those under which it was abolished. To say that it impeded the progress of England in 1641 is to say that it had, at that time, no reason for existence; that it had made itself superfluous, resembling, in that respect at least, the ideal government. It has been the object of the present study to show that in the sixteenth century the Council of the North had a very urgent reason for existence.

GAILLARD THOMAS LAPSLEY.

¹ *State Papers* (Rec. Com.), V. No. cccxxii.

² *Calendar of State Papers* (Henry VIII.), XII. pt. ii., Nos. 77, 100, 102, 249, 250 (2, iv.).

³ *State Papers* (Rec. Com.), V. Nos. cccxxv., cccxxviii., cccxxx., cccxxxiii.

⁴ Coke, *Fourth Institute*, ch. xlix.; Prothero, *Statutes and Documents*, introduction xc.-xci. The important parts of the commission are printed by Coke.

⁵ Coke, *Fourth Institute*, ch. xlix.

SOCIAL COMPACT AND CONSTITUTIONAL CONSTRUCTION

STUDENTS of American history or of political philosophy need not be told that in the Revolutionary period men believed that society originated in compact. Our forefathers believed too that the state was formed on agreement and that the King was bound to his subjects by an original contract. To secure the rights of life, liberty and the pursuit of happiness governments were supposed to have been "instituted among men, deriving their just powers from the consent of the governed." These doctrines were living, actual ideas to the men of one hundred and twenty-five years ago. They found continual expression in the speeches, letters and public documents of the time.¹ In his speech in the Parson's Cause Henry maintained that government was "a conditional [constitutional] compact composed of mutual and dependent covenants, the King stipulating protection on the one hand, and the people stipulating obedience and support on the other." In the famous argument on the writs of assistance, when, we are told, the child of independence was born, James Otis "sported upon the subject [of natural rights] with so much wit and humor, that he was no less entertaining than instructive." He asserted "that every man, merely natural, was an independent sovereign, subject to no law, but the law written on his heart, and revealed to him by his maker, in the constitution of his nature, the inspiration of his understanding and his conscience."

Locke was the philosopher of the American Revolution, as he was of the Revolution of 1688.² The deposition of James and the principles laid down in defense of the revolt against kingly author-

¹The following is a typical example of the announcements of the theories of the time.

"Some citizens used the following language: 'If the king violates his faith to, or compact with, any one part of his empire, he discharges the subjects of that part, of their allegiance to him, dismembers them from his kingdom, and reduces them to a state of nature; so that in such case he ceases to be their king . . . And the people are at liberty to form themselves into an independent state.'" Bradford's *History of Massachusetts*, pp. 333-334. Boston, 1822.

²There is abundant evidence of the fact that Locke's *Essays on Government* were read and studied in the Revolutionary period. His *Human Understanding* was used as a text in some of the colleges, and though this book does not cover the subject of government, the psychology of the work was what I may call the compact psychology.

ity undoubtedly made a very deep impression on the colonial mind, and when irritation waxed strong in America against George III. recourse was naturally had to the fundamental doctrines with which history had made Englishmen familiar. The revolt was justified on the ground that the King had encroached on the natural and reserved rights of the colonists, and the final declaration that they were "absolved from all allegiance to the British crown," was based on the belief that the King had broken his contract. Not only the argument, but in some measure the language of Locke is used in the Declaration of Independence.¹

These assertions are not novel and will, I think, be readily accepted by any student who is acquainted with the material of the Revolutionary period. It has seemed to me, however, that sufficient attention is not commonly paid to the influence and bearing of these basic principles of political philosophy in the period succeeding the Revolution. The foundation doctrines everywhere current during the Revolutionary time were not likely to disappear at once, for on them rested the right of rebellion, through them came independence, upon them was founded national existence. We might be willing to assert, without investigation, that the ideas which men cherished and the philosophy upon which they acted would be sure to affect the thoughts and activities of public men during the early constitutional period and for many years after the establishment of the United States. It is certainly important for us to understand the ideas which men held concerning the nature and origin of the state and society, and to know the foundations upon which they believed government to rest. In the study of any period such knowledge and appreciation are needed, but they are absolute requisites for the understanding of men's words, motives and acts at a time when governments were in process of construction and new states were forming. If we are to start historically upon the task of constitutional construction, we must necessarily begin by seeking to discover how men used terms, and we must likewise endeavor to appreciate their essential attitude of mind toward government and the essential nature of their thinking on matters of political concern.

It may be advisable to state with some explicitness what may be considered the fundamental notions which were commonly accepted when our national and state constitutions were established. Most of these are doubtless familiar to the reader. I shall not at-

¹ "But if a long train of abuses, prevarications and artifices, all tending the same way, make the design visible to the people," etc.—Locke, Sec. 225.

² "But when a long train of abuses and usurpations, pursuing invariably the same Object, evinces a design to reduce them under absolute Despotism."—*Declaration of Independence*.

tempt to give a consistent philosophy or to set forth the ideas in more than general terms.¹ The underlying idea was that men originally existed in a state of nature free from restraint. Each man was an individual sovereign and possessed of all rights, though dependent entirely upon his own strength to defend his rights. Society was formed by agreement among men, each individual surrendering a portion of his natural rights and retaining others which were inviolably his. Government and political organization also rested upon agreement. Thus through the conscious action and consent of individuals, permanent institutions were established. Now beneath these ideas of political philosophy was what I may call the metaphysical notion, that unity can be formed by the conscious action of so many isolated beings—unity can be formed by the separate movement of isolated atoms. Akin to this compact idea and necessarily bound up with it was the idea that man could bind himself; obligation grew out of consent, and did not necessarily depend on force, certainly not on a pre-existing force. Law was not necessarily the expression of the will of a pre-existing superior directed toward an inferior, but rested like everything else on the consent or the acquiescence of the individual. Not that any individual could at any time cast off his obligations and recall his acquiescence; on the contrary, real obligations permanent and binding came from original agreement.²

It will be seen at once that there is something very familiar in many of these doctrines, even at the present. Some of them have become embodied in legal phrases and in political catch-words. To discover just how far these ideas have been perpetuated in writings on municipal law would be an interesting task; but my present purpose is to consider only constitutional law or rather constitutional history and to note the bearing of such theories on the general question of the nature of the United States and the Constitution. In order that the influence and meaning of these doctrines may be more fully seen, it may be well to phrase the fundamental ideas of modern political philosophy. The supposition that society originated in compact is now discarded and with it the notion that man ever existed in a state of nature possessed of all rights. So-

¹ It is difficult, for example, to describe a state of nature with exactness, because of different theories and ideas. On the whole, perhaps it is fair to say that men accepted Hobbes's conception of the perfect lawlessness of the state of nature and coupled it with Locke's notion of compact and the resulting government.

² See especially the exceedingly able chapter on Municipal Law in James Wilson's *Lectures on Law*, in which in the course of fifty pages he attacks Blackstone's definition of law—as a “rule of civil conduct prescribed by the supreme power of the state.” “The consequence is,” says Wilson, after a long discussion, “that if a man cannot bind himself, no human authority can bind him.” *Works*, I. 193, Andrews's edition.

ciety is looked upon as organic, a natural thing, and not the result of intellectual agreement; society is not superimposed on man, but, as Aristotle said, man is by nature [originally] a political being. Government may indeed be said to rest upon the consent of the governed considered as a whole, since government in America is distinctly the creature and agent of the body politic; but man owes obedience to the government and to the will of the body politic, because he is born into society and the state, and is an essential portion of it. The state is an organism, a personality, gifted with a purpose and a will. Bluntschli has carried this so far that he has discovered that while the church is feminine the state is masculine; he is ready to tell us the gender, possibly the sex of the organism. Law is the expression of the will of the body politic, the superior and all-controlling being; law emanates from a being and is binding because of the force of the controlling entity behind it. Sovereignty is the ultimate will and controlling purpose of the body politic.

To the compact philosophy, then, may be said to belong three ideas which were of influence in our constitutional history: (1) The state is artificial and founded on agreement; (2) Law is not the expression of the will of a superior, but obtains its force from consent; a man can indissolubly bind himself; (3) Sovereignty is divisible. I know full well that many of those who wrote of the compact theory believed in the indivisibility of sovereignty. Hobbes held that the monarch was possessed of all power. And Rousseau, —who however influenced the American idea very little,—believed in a sort of indivisible sovereignty.¹ Even Vattel, who was used much more than Rousseau by the statesmen of the latter part of the last century, seems on the surface of things to teach that sovereignty is indivisible; but as a matter of fact his reasonings and arguments on the general subject under consideration do not bear out the idea of the indivisibility of sovereignty; a consistent part of the compact idea of law was that a body of men could surrender a portion of its right of self-control and could be bound by its voluntary agreement, thus limiting and confining its power of self-termination. But if the reader does not agree with this statement, this at least he will accept, that there is nothing in the character or the fundamentals of the compact philosophy which makes a division of sovereignty unthinkable; and if he examines the writings

¹ As the state and society were conceived by our forefathers, *complete political, absolute and unlimited power inhered neither in the state nor in the government.* "Locke and our own forefathers . . . start with certain natural legal rights possessed by the citizens as individuals, limit the authority of the sovereign power accordingly, and maintain that any attempt on its part to violate these rights is unlawful." Lowell, *Essays on Government*, p. 172.

of our early constitutional period he will find the prevalence of the idea that sovereignty could be divided.¹ The tenets of the organic philosophy are directly opposed to the three ideas I have just mentioned: (1) The state is natural and original, and a natural thing cannot be the result of intellectual agreement; the only result of agreement is an agreement, not a new unity; (2) Law is the expression of the will of a pre-existing superior; (3) Sovereignty, which is the will and purpose of a being, is necessarily indivisible. Divisibility is simply unthinkable.

When the Constitution of the United States was being made, men did not speak or think in the terms of the organic philosophy. Some of them, it is true, were more or less distinctly conscious of the essential oneness of the American people; some of them believed that the states never had been sovereign; some of them, seeing the fact of nationality, demanded that political organization should be in keeping with this fact. But the organic philosophy was developed in the next century,² and like all philosophy it came not from the thinking of the closeted philosopher, but from the actual development of society. While philosophic doctrine may react upon human affairs, human affairs in the progress of history beget philosophic doctrine. If I am right in the assertion that men thought and spoke in terms of the compact philosophy, it follows that we must necessarily interpret their conscious acts in the light of that philosophy. I do not say that it is entirely unjustifiable to interpret the period from 1760 to 1790 in accordance with the precepts and the principles of the organic idea;³ but I mean simply to assert that if we seek to

¹ I do not mean to say that no one asserted the indivisibility of sovereignty. Perhaps it was clearly stated in the speech of Morris in the Philadelphia Convention, *Madison Papers*, May 30. "He contended, that in all communities there must be one supreme power, and one only." Wilson in the Pennsylvania Convention hinted once at the same idea and there are a few other instances.

² "Though in a constituted commonwealth standing upon its own basis and acting according to its own nature—that is, acting for the preservation of the community, there can be but one supreme power, which is the legislative . . . yet the legislative being only a fiduciary power to act for certain ends, there remains still in the people a supreme power to remove or alter the legislative, when they find the legislative act contrary to the trust reposed in them." Locke, *Two Treatises on Government*, Book II., § 149.

³ Perhaps I should again, from motives of caution, remind the reader that in the text I am speaking in general terms. Burke for example, because of the historical character of his thinking, saw that the state and society were products of history and were not the creatures of mere momentary planning and consent by puny individuals. But the general truth is as stated above. The full organic idea could not come before the organic fact of this century, nor could the philosophy come before Hegel and Kant.

⁴ Such a treatment as that of Burgess, *Political Science and Comparative Constitutional Law*, I, 98-108, for example, and large portions of that of Von Holst, seem to me entirely justifiable. But of course it must be borne in mind that the authors are seeking fundamental principles underlying conscious action. I have discussed this matter at greater length at the end of this article.

follow out *historically* the interpretation of the Constitution or to find out what men thought of it at the beginning, we must get into their attitude of mind and understand their method of thinking.

An examination of the writings of the period seems to demonstrate that men approached the subject in hand—the establishment of a new constitution and government—guided by the ideas of the compact philosophy and, moreover, that they often directly and explicitly likened the Constitution of the United States to a new original constitutional or social compact. No one who has studied the primary material will be ready to assert that men consistently and invariably acted upon a single principle, that they were altogether conscious of the nature and import of what was being done and that they constantly spoke with logical accuracy of the process. Such consistency and philosophic knowledge do not appear in the affairs of statesmen. But as far as one can find a consistent principle, it is this, that by compact of the most solemn and original kind a new political organization and a new indissoluble unit was being reared in America. The compact was sometimes spoken of as a compact between the individuals of America in their most original and primary character; sometimes it was looked on as a compact between groups of individuals, each group surrendering a portion of its self-control and forming a new order or unity just as society itself was constituted. Sometimes the idea was not so distinct an application of the social compact theory, but was coupled with the notion that individuals and groups of individuals could enter into binding and indissoluble relationships by agreement, acquiescence and consent. A few of the more patent illustrations will help in sustaining the position here taken.

Pelotiah Webster, to whom Madison gives the credit of being one of the very earliest to propose a general convention,¹ issued a pamphlet² in 1783 in which the general idea is clearly put forth.

"A number of sovereign States uniting into one Commonwealth, and appointing a supreme power to manage the affairs of the union, do necessarily and unavoidably part with and transfer over to such supreme power, so much of their own sovereignty, as is necessary to render the ends of the union effectual, otherwise their confederation will be an union without bands of union, like a cask without hoops, that may and probably will fall to pieces as soon as it is put to any exercise which requires strength.

"In like manner, every member of civil society parts with many of his natural rights, that he may enjoy the rest in greater security under the protection of society."

¹ *Madison Papers*, Introduction.

² A *Dissertation on the Political Union and Constitution of the United States*. I take my quotation from *American History Leaflets*, No. 28, p. 7. The italics of the original are omitted.

The debates in the Philadelphia Convention contain references to the exact thought so plainly presented by Webster, and give other evidence of the character of the philosophy within which men were thinking. James Wilson saw as clearly as any one the necessity of bringing the new government directly into contact with citizens, and he saw, too, that there must be expression for the national life; but he could not say that the American people, already a unit, fused by facts into one body politic, were using this convention as a means of registering their sovereign will in a constitution which would be law and binding on all parts of the body politic.¹ On the other hand he spoke in terms of the compact philosophy.

"Abuses of the power over the individual persons may happen, as well as over the individual States. Federal liberty is to the States what civil liberty is to private individuals; and States are not more unwilling to purchase it, by the necessary concession of their political sovereignty, than the savage is to purchase civil liberty by the surrender of the personal sovereignty which he enjoys in a state of nature."² "We have been told that each State being sovereign all are equal. So each man is naturally a sovereign over himself, and all men are therefore naturally equal. Can he retain this equality when he becomes a member of civil government? He cannot. As little can a sovereign State, when it becomes a member of a federal government."³

Perhaps the clearest evidence that men were thinking in terms of the compact philosophy is contained in the discussion over the question as to whether the Articles of Confederation were still binding. In regard to this matter there were naturally different views. All had had experience with treaties between sovereign powers; and Madison contended that under such a contract as the Articles of Confederation a breach by one of the parties absolved all. Other speakers, considering the articles as something more than a mere treaty or a naked agreement between independent states, and being governed in their thinking in some measure by the compact philosophy, denied that a breach threw the members at

¹ See "James Wilson in the Philadelphia Convention," by A. C. McLaughlin, *Political Science Quarterly*, XII. 18, 19.

² *Madison Papers*, II. 824, June 8. Hamilton said that "men are naturally equal, and societies or states when fully independent are also equal. It is as reasonable, and may be as expedient, that states should form Leagues or compacts, and lessen or part with their natural Equality, as that men should form a social compact and in doing so surrender the natural Equality of men." King's Minutes, *King's Life and Correspondence*, I. 610.

³ *Madison Papers*, II. 835. Madison declared that the fallacy of the reasoning drawn from the equality of sovereign states, in the formation of compacts, lay in confounding "mere treaties . . . with a compact by which an authority was created paramount to the parties and making laws for the government of them." *Ibid.*, 978. The italics are my own. Here we have the compact philosophy in its pure state: agreement founding an authority superior to the creator of that authority. See remarks of Sherman, *ibid.*, 983. Notice also *ibid.*, 1183.

once into a state of nature toward one another. "If we consider the Federal Union," said Madison, "as analogous, not to the social compacts among individual men, but to the Conventions among individual States, What is the doctrine resulting from these Conventions? Clearly, according to the expositors of the law of nations, that a breach of any one article by one party, leaves all other parties at liberty to consider the whole convention as dissolved, unless they choose rather to compel the delinquent party to repair the breach."¹ On the other hand Wilson "could not admit the doctrine that when the colonies became independent of Great Britain, they became independent also of each other."² Hamilton agreed with Wilson, and, denying that the states "were thrown into a state of nature," denied also of course that the Confederacy could be dissolved by a single infraction of the articles;³ in other words, the Articles of Confederation were articles of union drawn up by communities which were already bound together in a social relationship. Luther Martin vehemently contended that under the Articles the states "like individuals were in a state of nature equally sovereign and free," and that although they might give up their sovereignty they had not done so and ought not to do so. "In order to prove that individuals in a state of nature are equally free and independent, he read passages from Locke, Vattel, Lord Somers, Priestley. To prove that the case is the same with States till they surrender their equal sovereignty, he read other passages in Locke and Vattel and also in Rutherford. That the states, being equal, cannot treat or confederate so as to give up an equality of votes, without giving up their liberty."⁴ Martin also declared that "to resort to the citizens at large for their sanction to a new government, will be throwing them back into a state of nature; that the dissolution of the State Governments is involved in the nature of the process; that the people have no right to do this, without the consent of those to whom they have delegated their power for State purposes."⁵

In this speech, which was one of the longest and ablest of the Convention,⁶ Martin adhered with remarkable accuracy to the compact theory of the organization of the State and government. So

¹ *Madison Papers*, II. 895.

² *Ibid.*, 907.

³ *Ibid.*, 907.

⁴ *Ibid.*, 975. It ought to be apparent that to men who thought in this way "accession" did not necessarily imply the correlative right of secession.

⁵ *Ibid.*

⁶ The first portion of it, lasting for three hours, is compressed into two pages of Madison's Minutes.

important is this that I venture to rearrange the material just given and summarize the conclusions. While Hamilton and Wilson, as we have seen, held that the people of America were already united in a sort of social compact—or, at least, that the Declaration of Independence did not throw the states into a state of nature in their relations; and while Madison contented himself with asserting that the Articles were similar to a convention among independent states, Martin disclosed the full meaning of what was contemplated from the view-point of the social-compact theory. Concluding that the states were now equal as individuals in a state of nature, and that to give unequal voting power in Congress would be destructive of that equality, and hence of the existing liberty, he also pointed out that to recur not to the state governments but to the people for the adoption of the Constitution and the establishment of the national government would mean that all people would be thrown into a state of nature; each person was now in society and had a government to which he was bound by constitutional compact, and, if he established a new government over himself, he took away from the state government and redistributed political authority. This he had no right to do without the consent of the state government.

One more quotation in this connection will be sufficient indication that the idea of the social compact was influencing the minds of the framers of the Constitution in the formation of the new government and the foundation of the new republic. When the Constitution was finally drawn up and presented to the Congress of the Confederation, Washington in his letter to that body declared that the framers had continually in mind the consolidation of the Union; but he evidently thought that consolidation could arise out of agreement. "It is obviously impracticable," he wrote, "in the federal government of these states, to secure all rights of independent sovereignty to each, and yet provide for the interest and safety of all. Individuals entering into society must give up a share of liberty to secure the rest."¹

In looking over the debates in the state conventions and the pamphlets and essays written on the question of adoption, we find further evidence of the presence of the social compact theory and of the compact philosophy. Wilson said in the Pennsylvania convention: "When a single government is instituted, the individuals of which it is composed, surrender to it a part of their natural independence, which they enjoyed before as men. When a confederate republic is instituted, the communities in which it is composed sur-

¹ Elliot's *Debates*, I. 305.

render to it a part of their political independence which they formerly enjoyed as states."¹ Exactly the same sort of statement was made and the same illustration used by a number of other men. Dickinson, for example, said, "As in forming a political society, each individual contributes some of his rights, in order that he may, from a *common stock* of rights, derive greater benefits than he could from merely *his own*; so, in forming a confederation, each political society should contribute such a share of their rights, as will, from a *common stock* of these rights, produce the largest quantity of benefits for them."² Mr. Hartley in the Pennsylvania convention said: "That the rights now possessed by the States will in some degree be abridged by the adoption of the proposed system, has never been denied; but it is only in that degree which is necessary and proper to promote the great purposes of the Union. A portion of our natural rights are given up in order to constitute society; and as it is here, a portion of the rights belonging to the states individually is resigned in order to constitute an efficient confederation."³ Mr. Barnwell of South Carolina "adverted to the parts of the Constitution which more immediately affected" his state. He declared that "in the compacts which unite men into society, it always is necessary to give up a part of our natural rights to secure the remainder. . . . Let us, then, apply this to the United States."⁴ David Ramsay in an *Address to the Freemen of South Carolina* uses the same expressions:

"In a state of nature, each man is free, and may do what he pleases; but in society every individual must sacrifice a part of his natural rights. . . . When thirteen persons constitute a family, each should forego everything that is injurious to the other twelve. When several families constitute a parish, or county, each may adopt what regulations it pleases with regard to its domestic affairs, but must be abridged of that liberty in other cases, where the good of the whole is concerned. . . . When

¹ Elliot, II, 429. McMaster and Stone, *Pennsylvania and the Federal Constitution*, 227. Wilson's *Works*, I, 539 (Andrews's ed.).

² Letters by John Dickinson, in *The Federalist and other Constitutional Papers*, edited by Scott, p. 789. See also same argument in letter signed "Farmer" in McMaster and Stone, p. 533. In spite of the fact that in this latter essay sovereignty is said to consist in the "understanding and will of political society," sovereignty is evidently considered divisible and to be divided in the new order proposed by the Constitution. *Ibid.*, 534, 539. See also, for the same argument, Letters of Fabius (John Dickinson) in Ford's *Pamphlets on the Constitution*, 176.

³ McMaster and Stone, p. 292. The reference in this speech to the union of England and Scotland is significant. Mr. Findlay in objection to the Constitution said: "In the preamble it is said, *We the People* and not *We the States*, which therefore is a compact between individuals entering into society, and not between separate states enjoying independent power, and delegating a portion of that power for their common benefit." *Ibid.*, p. 301.

⁴ Elliot, IV, 295.

several states combine in one government, the same principles must be observed."¹

The Massachusetts convention furnishes us with some interesting material. Ames seems to have spoken in very modern language and to have discarded in some measure the idea of compact; he rejected at least some portions of the ordinary conclusions springing from the compact theory. "I know, sir, that the people talk about the liberty of nature, and assert that we divest ourselves of a portion of it when we enter society. This is a declamation against matter of fact. We cannot live without society. . . . The liberty of one depends not so much on the removal of all restraint from him as on the due restraint upon the liberty of others. Without such restraint there can be no liberty."² Rufus King, however, expressed his opinion that the American people were the first to obtain a full and fair representation in making the laws through the social compact.³ Bowdoin referred to the same clause in Montesquieu to which Wilson made reference in his well known speech in the Pennsylvania convention, and, relying upon the analogy of the social compact, said "to balance the powers of all the states, by each giving up a portion of its sovereignty, and thereby better to secure the remainder of it, are among the main objects of a confederacy" [a Confederate Republic].⁴ It is certainly significant that, when the Massachusetts convention finally adopted the Constitution, it gave consent in the following words: "Acknowledging, with grateful hearts, the goodness of the Supreme Ruler of the universe in affording the people of the United States in the course of His providence an opportunity, deliberately and peaceably, without fraud or surprise, of entering into an explicit and solemn compact with each other, by assenting to and ratifying a new constitution."⁵ New Hampshire seems to have used the same words in the resolution of ratification.⁶

In Hamilton's writings are found many references to the social compact. It is quite evident that he had in mind as a working hypothesis the artificial construction of society and the body politic;

¹ Ford's *Pamphlets on the Constitution*, p. 373. Notice also the exceedingly able characterization of the Constitution by Noah Webster. *Ibid.*, pp. 29, 45, 55.

² Elliot, II. 9. This idea of liberty is not new or essentially modern, however. Cicero said "Lex fundamentum est libertatis qua fruimur. Legum omnes servi sumus, ut liberi esse possimus." Said Thomas Hooker: "It is the honor and conquest of a man truly wise to be conquered by the truth; and he hath attained the greatest liberty that suffers himself to be led captive thereby." *The Way of the Churches of New England*.

³ Elliot, II. 10.

⁴ Elliot, II. 129.

⁵ Elliot, II. 176. It is worth remembering in this connection that Massachusetts called her own constitution a compact.

⁶ Walker, *History of the New Hampshire Convention*, p. 46.

and in speaking of the new federal Constitution he, like the others, compared it to an original compact formed by individuals.¹ In the *Federalist* he made use of the following language :

" But it is said, that the laws of the Union are to be the *supreme law* of the land. What inference can be drawn from this, or what would they amount to, if they were not to be supreme? It is evident they would amount to nothing. A *law*, by the very meaning of the term, includes supremacy. It is a rule which those to whom it is prescribed are bound to observe. This results from every political association. If individuals enter into a state of society, the laws of that society must be the supreme regulator of their conduct. If a number of political societies enter into a larger political society, the laws which the latter may enact, pursuant to the powers intrusted to it by its constitution must necessarily be supreme over those societies, and the individuals of whom they are composed. It would otherwise be a mere treaty, dependent on the good faith of the parties, and not a government; which is only another word for *political power and supremacy*."²

There are certain remarks of Wilson in the Pennsylvania convention which seem at first sight to deny the compact origin of the Constitution altogether. But it seems to me that he intended to assert that the Philadelphia convention was not contracting or forming a contract; that the new order was to spring from the people, not from delegates from the states at Philadelphia; and especially that in America there is no inviolable contract between government and society. He came very near to the conception of the people of the United States as one body politic, as a single creating unit establishing the Constitution. Indeed, that may possibly be the idea he had in mind. But it seems more likely that he was thinking of the people of each state as the real establishing authority and of the relationship that was to exist between the government of the United States and the people.

" I have already shown that this system is not a compact or contract; the system itself tells you what it is; it is an ordinance and establishment of the people."³ " If we go a little further on this subject, I think we see that the doctrine of original compact cannot be supported consistently with the best principles of government. If we admit it, we exclude the idea of amendment because a contract once entered into between the governor and governed becomes obligatory and cannot be altered but by the mutual consent of both parties."⁴

¹ *Works*, II. 322. See also *ibid.*, 320, 376; VII. 294, 334, 336. As may be seen later in my presentation of this subject, the important fact is not so much that men thought the Constitution a social compact as that they thought of society and the state in general as artificial and based on intellectual consent.

² *Federalist*, No. XXXIII. The italics are in the original. See also No. XXII.

³ McMaster and Stone, 385. This speech is quoted by Bancroft to prove, apparently, that the Constitution was not considered a mere treaty between independent states.

⁴ *Ibid.*, 384-5.

It should be observed that the notion of a binding contract or compact between government and governed, which is here rejected by Wilson, was in very evident conflict with American conditions. It could not well be supposed that any government was possessed of sovereignty or that a constitution formed an inviolable and unalterable contract between a sovereign government and its subjects. And yet there was some difficulty in breaking away even from that portion of the old contract notion. Rousseau of course altogether rejected the notion of a contract between the sovereign people and the government, and the French idea was in this respect much more in harmony with later American conditions than was the idea of Locke, in spite of the fact that the American Revolution was fought out on the principle of the English philosopher and in recognition of the idea of a contract between king and people. But in spite of its seeming inapplicability to American institutions, the notion was too firmly rooted not to retain its hold long after the adoption of the Constitution. It appears in arguments and discussions as to the nature of the United States and the character and authority of the central government. Jefferson declared in the Kentucky Resolutions that the Constitution was a compact between states and that each state was an "integral party, its co-states forming, as to itself, the other party." But before the paragraph is finished he seems to argue that a contract exists also between the states and the government. As is well known, Hayne in his speech on the Foote resolutions spoke as if the states were one party to a compact and the United States government the other.¹

These quotations and references may be sufficient to indicate that men were thinking of the possibility of establishing a new political organization and a new government by agreement and consent. It is clear that something different from a mere convention between sovereign and independent states was contemplated. Thinking as they did in the terms and under the limitations of the compact theory and the compact philosophy, they did not speak of the new state as "original" or "organic" or "natural," or declare that a binding law must rest upon the force or will of an organism

¹ "A State is brought into collision with the United States, in relation to the exercise of unconstitutional powers; who is to decide between them? Sir, it is the common case of difference of opinion between sovereigns as to the true construction of a compact." —Hayne's Reply to Webster, January 27, 1830.

"The common notion," says Madison, "previous to our Revolution had been that the governmental compact was between the governors and the governed, the former stipulating protection, the latter allegiance. So familiar was this view of the subject that it slipped into the speech of Mr. Hayne on Foote's Resolution and produced the prostrating reply from Mr. Webster." Madison's *Writings*, IV. 296. See the correspondence of Governor Troup of Georgia with President John Quincy Adams.

existing before the law was issued. On the contrary, all states were artificial not natural, superimposed not original; society itself was not natural or original but formed artificially, in time, by the conscious intellectual consent of its framers. Inasmuch as government, political organization and unity can rest on consent, can be based on the action of thirteen bodies acting in isolation, all that was necessary was to obtain the separate consent of the people of the thirteen states.¹

Those who likened the Constitution to a social compact seem to have had two ideas somewhat different in character. Some of them had in mind the combination of each person with every other in the establishment of a new society and body politic; others thought of thirteen bodies of individuals each yielding up a portion of its self-control and thus forming a new unity as men do when organizing a simple state or society. Most of the quotations previously given disclose the latter idea. That bodies or groups of men were thus by agreement forming the United States was the thought of Wilson and Hamilton and Dickinson. But Luther Martin, who reasoned on the basis of the compact theory with inexorable logic, insisted that the individual men were compacting together.

"It is, in its very introduction, declared to be a compact between the people of the United States as individuals; and it is to be ratified by the people at large, in their capacity as individuals; all which, it was said, would be quite right and proper, if there were no state governments, if all the people of this continent were in a state of nature, and we were forming one national government for them as individuals; and is nearly the same as was done in most of the states, when they formed their governments over the people who composed them."²

It is an interesting fact that these two differing views of the way

¹No one will seriously maintain that Marshall believed that the United States was only a confederation of sovereign states. But did he believe that it was necessary that the American people should exist as a body politic before the Constitution was adopted in order that the Constitution might be a real constitution and the United States an actual unity? "They [the people] acted upon it, in the only manner in which they can act safely, effectively, and wisely on such a subject, by assembling in convention. It is true, they assembled in their several states—and where else should they have assembled? No political dreamer was ever wild enough to think of breaking down the lines which separate states, and of compounding the people into one common mass. Of consequence, when they act, they act in their states. But the measures they adopt do not, on that account, cease to be the measures of the people themselves, or become the measures of state governments."—*McCulloch vs. Maryland*, 4 Wheaton, 316. It is quite possible that Marshall believed that although the people were geographically separated they were acting as a single body politic which was laying down its will in a supreme law. But it is also possible that he thought of a supreme law resulting from the action of thirteen bodies of people, a law which when adopted was to be the supreme law of the land.

²Luther Martin's Letter. Elliot, I. 360. The convention of Massachusetts had the same idea, if we judge by the words of ratification.

in which the Constitution was established have survived, although writers do not use the words "compact" or "state of nature," or "sovereignty of the individual man," or like expressions. Sometimes we hear it said that the states entered into the Union each giving up a portion of its sovereignty. This is the idea of Wilson, the idea that bodies or groups of men by compact created "a new one."¹ Sometimes it is said that the people established the Constitution; but the thought seems to be, not that the people as a single body politic was acting, but that each individual contracted with others in establishing a new political organization and recognizing a new government.² This is the idea of Luther Martin.

The first important constitutional case before the Supreme Court turned in large measure on the nature of the Union. The opinions of Wilson and Jay are significant, and it may indeed be said that Jay's opinion furnished the basis on which the judicial interpretation of the Constitution has in large measure rested. Wilson declared that there was only one place where the word sovereign might have been used with propriety; the people "might have announced themselves 'sovereign' people of the *United States*." And yet he goes on to say: "The only reason, I believe, why a freeman is bound by human laws, is, that he binds himself . . . If one freeman, an original sovereign, may do this, why may not an aggregate of freemen, a collection of original sovereigns, do this likewise?"³ Jay asserted, with a clearness uncommon even in later decisions, that the people in their collective and national capacity established the Constitution. But he also said in this immediate connection: "Every state constitution is a compact made by and between the citizens of a state to govern themselves in a certain manner; and the Constitution of the United States is likewise a compact made by the people of the United States to govern them-

¹ "When a single government is instituted, the individuals of which it is composed surrender to it a part of their natural independence, which they enjoyed before as men. When a confederate republic is instituted, the communities of which it is composed surrender to it a part of their political independence, which they formerly enjoyed as states." Elliot, II. 429; McMaster and Stone, 227. It does not seem however that Wilson was always consistent in his advocacy of this idea. See his opinion in the case of *Chisholm vs. Georgia*, quoted later.

² "It is a compact among the *people* for the purpose of government, and not a compact between states. It begins in the name of the people and not of the states." *Letters of Agrippa*, Ford's *Essays*, 112.

The survival of the compact method of thought is interestingly shown in Bryce. "The acceptance of the Constitution of 1789 made the American people a nation." "The power vested in each state . . . belonged to the State before it entered the Union." "The loosely confederated States of North America united themselves into a nation." *American Commonwealth*, abridged ed., pp. 16, 229, 167.

³ *Chisholm vs. Georgia*, 2 Dallas 415, 456.

selves as to general subjects in a certain manner. By this great compact, however, many prerogatives were transferred to the national government . . ."¹ He then reached the conclusion that the "sovereignty of the nation is in the people of the nation and the residuary sovereignty of each state in the people of each state."

In the light of the material which I have cited, one might perhaps be fully justified in affirming that the framers of the Constitution considered it a compact analogous to a social compact, and similar in its origin to the state constitutions in all essential particulars. I think that such is the reasonable conclusion. But whether that be the proper generalization or not, it seems perfectly safe to assert that the student who is interpreting the words and acts of men of the last century must remember the contract theory and the philosophy of Locke. It is well also to remember that men who were thinking in terms of the compact philosophy could believe in the establishment of a permanent and indissoluble body politic as the result of agreement between hitherto separate bodies; that they could believe in the permanent binding effect of a law which had its origin in consent. To them the correlative of "accession" was not secession, but a continuing relationship.

The Virginia and Kentucky Resolutions, if approached from the view-point of the compact philosophy, may bear an interpretation quite different from that commonly given them, and different from that assigned to them by Hayne and Calhoun, who had begun to speak in the terms of organic philosophy. In other words, the Virginia Resolutions, at least, can bear just the interpretation which Madison insisted, thirty years after their appearance, was the correct one, because in 1830 he was still speaking as a disciple of Locke and as a statesman of the eighteenth century. If sovereignty is indivisible,—as it must necessarily be in the organic conception of the state,—then if Kentucky is sovereign, it is wholly self-determinant. But if sovereignty is divisible, the assertion that Kentucky is sovereign is not incompatible with the idea that the United States is also possessed of sovereignty. If a body politic, a state, cannot originate in agreement, then to call the Constitution a compact,

¹ *Ibid.*, 471. For a similar idea as to division of sovereignty resulting from compact, see Pinkney's oft-quoted speech on the Missouri restriction: "The parties gave up a portion of that sovereignty to insure the remainder. As far as they gave it up by the common compact, they have ceased to be sovereign." Benton's *Abridgment*, VI. 439. Monroe said, "In the institution of the Government of the United States by the citizens of every State a compact was formed between the whole American people which has the same force and partakes of all the qualities to the extent of its powers as a compact between the citizens of a State in the formation of their own constitution." Message, May 4, 1822; Richardson, *Messages and Papers*, II. 147, 148.

and to say that "each state acceded as a state and is an integral party"¹ is equivalent to saying that the Constitution is a mere treaty and the United States merely a league. But if a body politic, a new indissoluble whole, can be established by agreement, between hitherto separate units, if government rests on consent, if a solemn compact is the surest foundation of a state, then to say that the Constitution is a "compact to which the States are parties," is not a declaration that the United States is not a unit or a state. If law is the expression of the will of a pre-existing superior body, and if the Constitution is an agreement between equals, then it can in no true sense be law. But if the only way in which a man can be bound is by binding himself, if law springs from consent and agreement among equals, if government itself rests on consent, then the Constitution may have been a compact and nevertheless be law.

Granted that the Constitution is a social compact formed by agreement among bodies of individuals hitherto in a state of nature, and suppose the government of the new organization assumes powers not granted in the compact, what then is to be done? The Virginia Resolutions do not explicitly say that more than a protest is desirable. Jefferson had in mind, it seems, the social compact idea in his suggestion of a remedy: "Every state," he said, "has a *natural right* in cases not within the compact . . . to nullify," etc. These words were stricken out and did not appear in the final draft of the resolutions as they were passed by Kentucky. Again he said: "That the co-states recurring to their *natural rights* in cases not made federal,"² etc. It may be said, then, that the Virginia and Kentucky Resolutions did not proclaim state sovereignty, or that each state was the sole ultimate judge of a law and had the right to secede whenever a law was passed that was contrary to its desire; but that, inasmuch as the states entered as parties into the social compact, they (not each one) were ultimate judges of whether the rights reserved by the states, the natural rights, had been encroached upon. "Who shall be the judge," says Locke, "whether the prince or legislative act contrary to their trust? . . . To this I reply, The people shall be judge . . . If a controversy arise betwixt a prince and some of the people in a matter where the law is silent or doubtful, and the thing be of great consequence, I should think the proper umpire in such a case should be the body of the people."³ But this is something entirely different from saying that each man shall be judge. "For, when any number of men have, by the consent of every individual, made a com-

¹ First Series, Kentucky Resolutions.

² Italics my own. See Jefferson's *Writings*, ed. Ford, VI. 301, 308.

³ Book II., Sections 240, 242.

munity, they have thereby made that community one body. . . . And thus every man . . . puts himself under an obligation to every one of that society to submit to the determination of the majority and be determined by it."¹ Calhoun himself, yielding to the inevitable idea that there must be something less than palpable interstate anarchy based on state willfulness, provided in his scheme for a convention of the states; but after the majority of three-fourths had decided against the protesting state, it still retained the right to nullify or secede. It was not obliged to submit to the majority.

If one starts with Madison's philosophical ideas the interpretation which he put on the Virginia Resolutions, when he wrote of them in the period from 1830 to 1835, is the reasonable, logical and inevitable interpretation. Is it proper to approach the resolutions with any other ideas than those held by the writer? It is worth while to quote a few of his words written at the latter date.

"It has hitherto been understood that the supreme power, that is, the sovereignty of the people of the States, was in its nature divisible, and was, in fact, divided . . . ; that as the States in their highest sovereign character were competent to surrender the whole sovereignty and form themselves into a consolidated State, so they might surrender a part and retain, as they have done, the other part. . . . Of late, another doctrine has occurred, which supposes that sovereignty is in its nature indivisible; that the societies denominated States, in forming the constitutional compact of the United States, acted as indivisible sovereignties, and, consequently, that the sovereignty of each remains as absolute and entire as it was then. . . . In settling the question between these rival claims of power, it is proper to keep in mind that all power in just and free governments is derived from compact."²

These words of Madison go, in my opinion, to the root of the matter. Calhoun's proposition rested on the doctrine of the indivisibility of sovereignty, and this was a notion resulting from the fact that he was beginning to think and speak in terms of the organic philosophy.³ He did not, as far as I can find, in so many words discard the social contract in general until he wrote his *Disquisition on Government*, some sixteen years after the nullification trouble. But as a matter of fact the strength of the argument for complete state

¹Sec. 96, 97. This proposition for interpretation of this portion of the Kentucky Resolutions is in a measure tentative not final. Madison thought that Jefferson meant by nullification "the natural right, which all admit to be a remedy against insupportable oppression"—in other words the right of revolution. Madison's *Writings*, IV. 410.

²Madison's *Writings*, IV. 390, 391. See also *ibid.*, pp. 61, 63, 75, 294, 395, 419. How fully the nullification theory rests on the indivisibility of sovereignty is seen by an examination of the Address to the people of South Carolina by their delegates in convention.

³Madison, IV. 394, gives a beautiful example of how absolutely impossible it was for the clearest thinkers to adhere at first to the doctrine of indivisible sovereignty of a "moral person." Rowan's speech is in Niles's *Register*, XXXVIII., Supp., p. 46.

sovereignty and the right of secession rests on the philosophic conception of the indivisibility of sovereignty; and coupled with this philosophical conception is the idea that states do not originate in agreement and that law is the expression of the will of a superior being. I do not mean to contend that Calhoun consistently spoke in terms of the organic philosophy. On the contrary, he occasionally fell back into the thought and expression of the preceding generation; that was inevitable. But his argument as it was developed, really rested on philosophic presuppositions foreign to the thinking of the time when the Constitution was adopted.¹ If the student of Calhoun's writings does not agree with me in this, perhaps he will be willing to admit that the argument in behalf of state sovereignty, as it has been developed and worked out, for example by Alexander H. Stephens, relies on presuppositions belonging to the organic philosophy. When once the defender of the position has demonstrated that the states were sovereign before the Constitution was adopted and that they adopted the Constitution as separate states, he is ready to believe his point proved; because he believes that unity cannot spring from agreement, that an agreement between isolated beings ends in agreement and nothing but agreement.

Madison's letters of the nullification period are a complete answer to Hayne and Calhoun, written from the standpoint of the men who made the Constitution. But the same sort of reply came from other sources. Jackson's proclamation, for example, is written on the old lines of the compact idea:

"The Constitution of the United States, then, forms a *government*, not a league; and whether it be formed by compact between the States, or in any other manner, its character is the same. . . . Because the Union was formed by compact, it is said the parties to that compact may, when they feel themselves aggrieved, depart from it; but it is precisely because it is a compact that they cannot. A compact is an agreement or binding obligation. It may by its terms have a sanction or penalty for its breach or it may not."

Of great interest in this connection are the resolutions which some of the states drafted in answer to South Carolina.² They are exceedingly good examples of the continuance of the social-compact idea and of the compact philosophy. Massachusetts spoke as

¹ The reader may notice especially that in his letter to Governor Hamilton of August, 1832, Calhoun expended great effort to show that there had been no such body politic as the American people before the adoption of the Constitution. The adoption, therefore, he would seem to say, by thirteen bodies politic does not make law but agreement.

² It is sometimes overlooked that nearly every state which answered the resolutions of South Carolina declared her theory a heresy and of dangerous tendency. See even the resolutions of North Carolina and Mississippi.

she might have spoken forty years earlier: "The constitution of the United States of America is a solemn Social Compact, by which the people of the said States, in order to form a more perfect union . . . formed themselves into one body politic."¹ Ohio's answer was much the same: "Resolved that the Federal Union exists in a solemn compact, entered into by the voluntary consent of the people of the United States, and of each and every State, and that therefore no State can claim the right to recede therefrom or violate the compact. . . ."² The argument in the report of the Senate Committee of Massachusetts is especially significant, because it so clearly and keenly analyzes the position of South Carolina and meets the proposition of the nullifiers so squarely. The committee saw that nullification rested on this assumption: "The States were independent of each other at the time when they formed the Constitution; therefore they are independent of each other now." To one thinking rigidly in the terms of the organic philosophy the assumption that the states were independent and separate when they formed constitutions is equivalent to a declaration that they were independent afterwards or at least that the mere adoption of the Constitution did not deprive them of independence. But the Massachusetts committee answered in terms of the compact philosophy, and thus stood in the position of the men of 1787, who could see no reason why an actual unity should not result from consent. "The rights and obligations," said this committee, "of the parties to a contract are determined by its nature and terms, and not by their condition previously to its conclusion."³

Generalizations with regard to this subject are dangerous and difficult; but it certainly seems inevitable that one must draw at least this conclusion—Men differed, in part at least, because of their different fundamental conceptions, and those conceptions were philosophic. One side declared that the Constitution was a compact and therefore not binding; the other side declared that the Constitution was a compact and therefore was binding. One side said that sovereignty was indivisible; the other declared that it was divisible and had been divided. The organic philosophy is accepted by

¹ *State Papers on Nullification*, Boston, 1834, p. 128. The quotations above given are of course only a small part of these replies.

² *Ibid.*, p. 206. See also p. 214.

³ *Ibid.*, 119. "Now there can be no doubt, that independent states are morally as capable of forming themselves into a body politic, as independent individuals. . . . Hence, were it even admitted, that the states were distinct and independent communities at the time when they framed the Constitution, the fact would no more prove that they are distinct and independent communities now, than the fact that two parties to a marriage contract were single before its conclusion goes to prove that they are single afterwards," *ibid.*

modern philosophic publicists and writers of political science. Will they say that, because the men of 1787 did not act and speak in the terms of the philosophy which arose from the civilization of the next century, a philosophy which was first decisively manifested in Hegel and given full expression by the more modern political philosophers, they did not do what they intended to do? Would it not be as wise to insist that, inasmuch as Locke's philosophy is now rejected, James II. was not overthrown, and that his descendants are entitled to exercise the prerogatives of the British crown? The judicial construction of the Constitution has remained in large measure in accord with the compact philosophy. Shall we declare that judges and lawyers must abandon the traditional idea of the division of sovereignty or the theory that the states come into the Union surrendering a portion of their sovereignty, and that the acceptance of the Constitution made the American people a nation? Is there not much to be said in favor of adherence to old and original notions?

But the organic philosophy of course obtained its followers among those who gave the national construction to the Constitution, and before the Civil War men were meeting the advocates of secession on their own ground.¹ The organic character of the United States can be sustained on an interpretation of acts, facts and forces of the Revolutionary period, 1760-1790, which takes into account the realities which underlay all seeming conditions or the conscious acts of men. I do not mean to affirm or deny that men were clearly conscious of national life and of the idea that the states were not truly sovereign.² I mean simply to say that by the very character of the organic philosophy one is compelled to go beneath the surface and to see realities. Of course men who argued from the basis of the organic idea and nevertheless maintained that the United States was more than a multiple of units organically separate, did not in so many words declare that they had taken up new philosophic ground; but in fact they had left compact thinking behind them, and from the new view-point met the declaration of state sovereignty with a new interpretation of history which naturally and logically

¹ I have omitted reference to Webster, because Webster's speeches on the subject require longer and fuller exposition than I can give them in this article. Story, too, deserves special examination; but, as was to be expected in his time, there is great confusion in his writings and a single idea is not carried through logically. He sometimes talks in terms of compact; sometimes not.

² I have already shown that some men believed that the states were not made independent of each other by declaring independence from Great Britain. See the speech of Pinckney before the South Carolina convention, as well as many assertions in the Philadelphia convention, or Hamilton's well known statement that a nation without a national government was an awful spectacle. They were more or less conscious of the reality—the existence of national life.

sprang from the new methods of thought. The ordinary mode adopted was to deny that the states were ever sovereign and to insist, as Lincoln did, that the Union was older than the states.

An excellent example of this method of interpreting history is found in Alexander Johnston's article on state sovereignty in Lalor's *Cyclopædia*. Granted that sovereignty is not simply law-making power, but the will, the impulse, the controlling motive of a mass of people organically fused together, where are we to find such a will, where are we to find such actual fusion, this dominating reality, before 1789? Evidently not in the incompetent states, for to call them sovereign is to give a meaning to sovereignty incompatible with the organic philosophy.

"The states declared themselves sovereign over and over again; but calling themselves sovereign did not make them so. It is necessary that a state should be sovereign, not that it should call itself so, while still sheltering itself under a real national authority. The nation was made by events and by the acts of the national people, not by empty words or by the will of sovereign states. . . . The national feeling held the nation together, and forced the unwilling state governments to stand sponsor to a new national assembly. Such was the convention of 1787."

Now my contention is that this philosophic interpretation of facts, seizing the underlying verity, is not only admissible but necessary for those who insist on reading the events of those days from the view-point of the organic philosophy. But I also contend that if the *conscious* deeds and words of men are to form the sole basis of our argument, then we are thinking as becomes those who are bound by the conceptions of the compact philosophy, the distinguishing characteristic of which was that it never went below the consciousness in whatever field of human thinking it showed itself, in the two centuries during which it reigned supreme; and we are also bound to remember that the framers were thinking and speaking in terms of compact and believed that agreement could establish unity.

That methods of constitutional interpretation as well as arguments on the essential character of the United States should be influenced by the development of political philosophy was inevitable. For philosophy is only one field of thought, unless it be, as the philosophers claim, the sum of all. The political philosophy of this century is merely the systematization of ideas and modes of thought produced by the developments of the century. And it is exceedingly significant that the organic idea should have first been used in behalf of a declaration that the United States was not organic and that it should have found expression in the acts of a state where society

¹Lalor's *Cyclopædia*, III. 791.

define

was and had been from the beginning peculiarly unitary in its make-up, in the acts of a state which had from early days felt its individuality. It is a striking paradox that the organic philosophy should have formed the basis for the defense of slavery which was disorganizing the nation. Paradoxical, too, is the fact that abolitionism received its being from the growing realization that all men were one, from the prevalence of the humanitarian spirit which has found verbal formulation in the precepts of the organic philosopher.

When organic thinking has shown itself in all fields of thought—in science where men have ceased to speak of the isolated creation of matured species, or even of the isolated development of a single animal, but speak rather of the organic character not simply of an isolated specimen but of the natural world; in history, where the investigator looks behind the conscious acts of men to the hidden forces which were working in society, and smiles at the idea that Caesar overthrew the Republic or that Lincoln destroyed slavery; in sociology, where students give themselves up to the study of social change and social regeneration; in metaphysics, where the scholar seeks to show the unity, which exists in all seeming diversity, and can explain nothing except in its relations and as part of a whole—when all the forces of modern life have drawn men together and made society more truly and really one than ever before, save, perhaps in the little states of ancient Greece, it is perfectly inevitable that an organic notion of political society should prevail. It was inevitable, too, that political thinking and argument in the course of this century should have been materially affected by the modification and development of society. The constitutional history of the United States is in no small degree taken up with tracing opinion and assertion as to the actual character of the Union; and the historian is compelled to notice the change which took place in the opinions, words and thoughts of statesmen as they were influenced by the change in society and by the prevalence or growth of doctrines as to the origin and nature of the state. The Civil War was doubtless caused by economic conditions, and by economic and moral differences; but each of the contending parties was struggling for what it believed to be the law. Opinion as to what was the law depended on the interpretation of history and also upon the acceptance or rejection of certain philosophic conceptions.

My purpose in this paper has been to show: (1) That the men of one hundred and twenty-five years ago thought within the limits of the compact philosophy; (2) That they carried the compact idea so far that they actually spoke of the Constitution as a social compact; (3) That it is necessary for us to remember their fundamental

ideas and to interpret their words and conscious acts in the light of their methods of thought; (4) That in the development of modern organic philosophy new ideas were introduced and new meanings assigned to terms; (5) That from this latter fact, from the inability to agree on fundamental conceptions, arose confusion; (6) That the doctrine of state sovereignty as it has been developed rests on philosophic presuppositions almost if not entirely unknown to the framers of the Constitution; (7) That if we use the terms and insist on the ideas of the organic philosophy, we are entitled to seek the realities lying behind the words of men.

ANDREW C. McLAUGHLIN.

THE UNITED STATES AND MEXICO, 1847-1848¹

DURING the last eighteen months, few students of our history can have failed to be struck with the points of similarity between some of the aspects and incidents of our recent public policy and some of the phases of the Mexican War. Not only in broad outlines is there a resemblance between the two situations, but it exists even in details. What a curious coincidence that in the one case we should have assisted the exiled Santa Anna to return to Mexico, counting on his friendly aid in attaining our demands, and that in the other the exiled Aguinaldo should have been brought home and his followers equipped as our allies! Indeed let any one who thinks this comparison forced read over his *Biglow Papers*. The famous epistle of Birdofreedom Sawin from Mexico echoes with contemporaneous discussion, and one long passage, with two or three changes in the names, might well serve the Anti-Imperialists as a tract for the times.

But it is not my purpose on this occasion to follow out in detail the comparison between the two wars and the issues arising from them, but rather, in view of the present persistent asseveration that the victory in Manila Bay imposed upon the United States at once the duty and the necessity of securing and retaining the Philippines, to inquire how we escaped annexing all of Mexico in 1848. This relic of New Spain, less populous than our antipodal islands, contiguous to our territory, a political wreck from the incessant turmoil of a generation, in the complete possession of our armies for months, with the flag flying from the "Halls of the Montezumas," was finally relinquished, although the situation presented every argument urged for the retention of the Philippines more cogently, and annexation would have involved fewer social, political and constitutional difficulties. In the light of present events and of current opinion it is hardly credible that, if confronted to-day by that situation, our people would avoid their duty and leave the conquered to work out their own salvation merely disburdened of some undeveloped territory.

That a policy so alien to our present ideas should have prevailed only a half-century ago invites some explanation in addition

¹ Read at the meeting of the American Historical Association at Cambridge, Mass., December 29, 1899.

to the obvious one that expansion and the extension of human slavery were, in the minds of an increasing number, inextricably bound together, and that therefore the deepening moral abhorrence of slavery, which was taking fast hold of the idealists, re-enforced the opposition of conservatism. As a consequence just that idealist element which, to-day, leads the movement for expansion under the banner of political altruism, shrank back fifty years ago from having anything to do with it.

It is to offer some further explanation beyond this obvious one that I undertake a brief inquiry into the rise, diffusion and probable strength of a desire to acquire all of Mexico. For such an inquiry will show that the movement for expansion, although associated in the minds of many people with the extension of slavery, was by no means identical with it, being on the one hand strongly opposed by some of the ablest champions of the institution and on the other hand ardently advocated by its enemies, while the body of its support was in no inconsiderable degree made up of men on the whole indifferent to the slavery question. The emergence of this expansionist movement at this time in spite of the obstacles to its success prepares us for its triumphant career at the present day, when it has no substantial hindrance save the conservative spirit, to whose objections our sanguine people are wont to pay little attention.

It is well known that President Polk on assuming office announced to George Bancroft that he proposed during his term to settle the Oregon question and to acquire California.¹ He is, I think, with the possible exception of Grant, the only president who has entered office with a positive and definite policy of expansion. Polk was in fact an expansionist, not at the behest of slavery as has been charged, but for the cause itself; yet a prudent expansionist, for he hesitated at the incorporation of large masses of alien people, refusing to countenance, as we shall see, the all-of-Mexico movement and yielding only in the case of the proposed purchase of Cuba. To accomplish his purpose in regard to California, when negotiations failed, President Polk was ready to try conquest and he welcomed, if he did not provoke, the war with Mexico.² The conquest of sparsely settled California and New Mexico was easily accomplished. The resistance of Mexico, although more desperate than was expected, was not effectual and in April, 1847, Mr. Trist was despatched with the project of a

¹ Schouler's *History of the United States*, IV. 498.

² Compare the narrative in Schouler's *Historical Briefs*, 149-151, which is a faithful presentation in brief of the material contained in Polk's diary.

treaty. Our commissioner was authorized to offer peace on the cession of all territory east of the Rio Grande from its mouth to the southern boundary of New Mexico, New Mexico, Upper and Lower California and a right of way across the Isthmus of Tehuantepec. "The boundary of the Rio Grande, and the cession to the United States of New Mexico and Upper California constituted an ultimatum," and less than that was under no circumstances to be accepted. The refusal of these terms was followed in September by the capture of the City of Mexico. The news of this triumph of the American arms which reached Washington late in October soon gave rise to an active agitation to incorporate all of Mexico into the Union.¹ The opponents of the administration averred this to be the design of the President, although it was not, and the suspicion was increased by the known fact that the Secretary of the Treasury, Robert J. Walker, was an advocate of this policy.²

Inasmuch as President Polk initiated his own policy and resolutely and independently pursued his own plans, no account of his presidency can be satisfactory to-day, which is not based on a careful examination of the voluminous diary³ in whose pages are recorded not only his own views and intentions but also brief reports of cabinet meetings and of conferences with party leaders. Turning to this record we find that Polk told his cabinet, September 4, 1847, that if the war was still further prolonged he would "be unwilling to pay the sum which Mr. Trist had been authorized to pay," in the settlement of a boundary, by which it was contemplated that the United States would acquire New Mexico and the Californias; and that "if Mexico continued obstinately to refuse to treat, I was decidedly in favor of insisting on more territory than the provinces named." The question was discussed by the cabinet on September 7, and Secretary Walker and Attorney-General Clifford are recorded as "in favour of acquiring in addition the department or state of Tamaulipas, which includes the port of Tampico." Secretary Buchanan, the Postmaster-General and Secretary John Y. Mason opposed this proposition. The President declared himself "as being in favour of acquiring the cession of the Depart-

¹ Cf. Von Holst, III. 341-344. It will be noticed that Von Holst, not having access to Polk's diary, worked in the dark in regard to the President's Mexican policy and attributes designs to him which he did not entertain. The *New York Sun* asserted in October that it had advocated the occupation of Mexico in May. Niles, LXXIII. 113.

² *Baltimore American* in Niles, LXXIII. 113.

³ George Bancroft's typewritten copy of the MS. of the diary is among the Bancroft Papers in the Lenox Library. For an account of the diary see Schouler, *Historical Briefs*, 121-124. I may take the occasion here to express my appreciation of the courtesy of Mr. Eames and Mr. Paltsits in giving me every facility in the examination of the diary and correspondence of Polk.

ment of Tamaulipas, if it should be found practicable." Clifford proposed the recall of Trist and the prosecution of the war with the greatest vigor until Mexico should sue for peace. This was approved by Walker and by the President except as regards the recall of Trist. A month later he changed his mind and Trist was recalled, as he notes, October 5, "because his remaining longer with the army could not probably accomplish the objects of his mission, and because his remaining longer might and probably would impress the Mexican government with the belief that the United States were so anxious for peace, that they would ultimate (*sic*) conclude one on the Mexican terms. Mexico must now sue for peace and when she does we will hear her propositions."

Another month passes and Secretary Buchanan has shifted his position, presumably in response to some indications of a changing public sentiment, such as the recent Democratic victory in Pennsylvania, and we are not surprised to learn that he "spoke in an unsettled tone" and "would express no opinion between these two plans," *i. e.*, for the President in his message "to designate the part of Mexican territory, which we intended to hold as an indemnity, or to occupy all Mexico, by a largely increased force, and subdue the country and promise protection to the inhabitants." Buchanan would, so Polk gathered from his utterances, favor the acquisition of Tamaulipas and the country east of the Sierra Madre Mountains and withdraw the troops to that line. This in fact Buchanan announced to the President nearly two months later, January 2. "My views," records the President, November 9, "were in substance that we would continue the prosecution of the war with an increased force, hold all the country we had conquered, or might conquer, and levy contributions upon the enemy to support the war, until a just peace was obtained, that we must have indemnity in territory, and that as a part indemnity, the Californias and New Mexico should under no circumstances be restored to Mexico, but that they should henceforward be considered a part of the United States and permanent territorial governments be established over them; and that if Mexico protracted the war additional territory must be acquired as further indemnity."

He adds in regard to Buchanan: "His change of opinion will not alter my views; I am fixed in my course, and I think all in the Cabinet except Mr. Buchanan still concur with me, and he may yet do so."

On November 18, Polk requested Buchanan to prepare a paragraph for the message to the effect: "That failing to obtain a peace, we should continue to occupy Mexico with our troops and

encourage and protect the friends of peace in Mexico to establish and maintain a Republican Government, able and willing to make peace." By this time Buchanan had come into an agreement with the President, and on the 20th, the cabinet all agreed that such a declaration should be inserted in the message. But if peace could not be obtained by this means the question was as to the next step. "In Mr. Buchanan's draft, he stated in that event that 'we must fulfill that destiny which Providence may have in store for both countries.'"

Experience warns us, when a statesman proposes humble submission to the leadings of Providence, that he is listening anxiously and intently to the voice of the people. President Polk was too independent a man to get his divine guidance by those channels and announced to his cabinet: "I thought this would be too indefinite and that it would be avoiding my constitutional responsibility. I preferred to state in substance, that we should in that event, take the measure of our indemnity into our own hands, and dictate our own terms to Mexico."

Yet all the cabinet except Clifford preferred with Buchanan to follow whither destiny should lead.¹ The paragraph was still troublesome, and Polk presented a third draft to the cabinet, November 23. "Mr. Buchanan," records the diary, "still preferred his own draft, and so did Mr. Walker, the latter avowing as a reason, that he was for taking the whole of Mexico, if necessary, and he thought the construction placed upon Mr. Buchanan's draft by a large majority of the people, would be that it looked to that object."

Polk's answer does him honor: "I replied that I was not prepared to go to that extent; and furthermore, that I did not desire that anything I said in the message should be so obscure as to give rise to doubt or discussion as to what my true meaning was; that I had in my last message declared that I did not contemplate the conquest of Mexico. And that in another part of this paper I had said the same thing."

It will be noticed that on this occasion Robert J. Walker comes out squarely for all of Mexico. He seems to have improved the occasion again in his Treasury report to express his views, but the President required that to be in harmony with the message. Perhaps it will not be superfluous to remark that the most advanced expansionist in Polk's cabinet always had been an expansionist, was opposed to slavery, although a Southerner by adoption, and was during the Civil War a strong Union man.

¹ It is interesting to note that Buchanan used this rejected paragraph in a letter to a democratic meeting in Philadelphia. Von Holst, III. 341 n.

Twice later this crucial paragraph was revised. In its final form it read: "If we shall ultimately fail [*i. e.*, to secure peace], then we shall have exhausted all honorable means in pursuit of peace, and must continue to occupy her country with our troops, taking the full measure of indemnity into our own hands, and must enforce the terms which our honor demands."¹ An earlier passage, however, in explicit terms renounced the "all-of-Mexico" policy in these words: "It has never been contemplated by me, as an object of the war, to make a permanent conquest of the Republic of Mexico, or to annihilate her separate existence as an independent nation."²

The opening of Congress gave an opportunity for the rising feeling for all of Mexico to show its strength. Yet it must not be forgotten that the new House had been elected over a year earlier, when the opposition to the war was perhaps at its height and not yet counterbalanced by the excitement of the victories of 1847. During the first weeks of the session many series of resolutions in favor of and against the policy of all-of-Mexico were presented. Several of the latter were offered by Southern Whigs like Botts of Virginia and Toombs of Georgia, and illustrate the point that the slavery and expansion interests were not identical. Similarly, as Calhoun made the ablest speech against the absorption of Mexico, so the most outspoken advocates of it were Senator Dickinson of New York, a Hunker Democrat, and Senator Hannegan of Indiana. Hannegan offered the following resolution January 10: "That it may become necessary and proper, as it is within the constitutional capacity of this government, for the United States to hold Mexico as a territorial appendage."³ Senator Dickinson, who at the Jackson dinner on the 8th had offered the toast "A More Perfect Union embracing the entire North American Continent,"⁴ on the 12th made a speech in the Senate advocating expansion, in which he declared for all of Mexico and asserted that it was our destiny to embrace all of North America. "Neither national justice," said he, "nor national morality requires us tamely to surrender our Mexican conquests, nor should such be the policy of the government if it would advance the cause of national freedom or secure its enjoyment to the people of Mexico."

Calhoun at the earliest opportunity, December 15, had offered these trenchant resolutions: "that to conquer Mexico or to hold it either as a province or to incorporate it in the Union would be

¹ *Niles Register*, LXXIII. 230.

² *Ibid.*

³ *Cong. Globe*, 30th Cong., 1st Session, p. 136.

⁴ *Niles Register*, LXXIII. 336.

inconsistent with the avowed object for which the war has been prosecuted; a departure from the settled policy of the government; in conflict with its character and genius, and in the end subversive of our free and popular institutions."¹

These resolutions drew from Cass a few days later the wonderful assertion that "there is no man in this nation in favor of the extinction of the Nationality of Mexico." Whereupon Calhoun rejoined: "Why, you can hardly read a newspaper without finding it filled with speculation upon this subject. The proceedings that took place in Ohio at a dinner given to one of the volunteer officers of the army returned from Mexico show conclusively that the impression entertained by the persons present was, that our troops would never leave Mexico until they had conquered the whole country. This was the sentiment advanced by the officer and it was applauded by the assembly, and endorsed by the official paper of that State."²

Calhoun put the case even more strongly in his speech in the Senate, January 4: "There was at that time [*i. e.*, at the beginning of the session] a party scattered all over every portion of the country in favor of conquering the whole of Mexico. To prove that such was the case, it is only necessary to refer to the proceedings of numerous large public meetings, to declarations repeatedly made in the public journals, and to the opinions expressed by the officers of the army and individuals of standing and influence, to say nothing of declarations made here and in the other House of Congress."³ Some of these expressions may be briefly noticed. General John A. Quitman, one of the most energetic of the army officers, subsequently a persistent advocate of the acquisition of Cuba, arrived in Washington in December and presented a plan to the President for a permanent occupation of Mexico.⁴ Commodore Stockton, the Dewey of the conquest of California, at a great dinner given in his honor the 30th of December, advocated not the annexation but the occupation of Mexico until that people should be completely regenerated, and would accept civil and religious liberty and maintain a genuine republic.⁵ Among the newspapers advocating the retention of all of Mexico we find, strange as it seems, the *New York Evening Post*, with such language as this: "Now we ask whether any man can coolly contemplate the idea of recalling our troops

¹ *Cong. Globe*, p. 26.

² *Cong. Globe*, 30th Cong., 1st Sess., *ibid.*, p. 54.

³ Quoted by Von Holst, III. 343. Cf. Niles, *Register*, LXXIII. 334. A writer in the *Charleston Courier* affirmed: "Most of the leading Democratic papers openly advocate that policy." Niles, LXXIII. 351.

⁴ Claiborne's *Quitman*, II. 79.

⁵ Niles, *Register*, LXXIII., 335.

from the territory we at present occupy, from Mexico—from San Juan de Ulloa—from Monterey—from Puebla—and thus by one stroke of a secretary's pen, resign this beautiful country to the custody of the ignorant cowards and profligate ruffians who have ruled it the last twenty-five years. Why, humanity cries out against it. Civilization and Christianity protest against this reflux of the tide of barbarism and anarchy."¹

The *National Era*, the organ of anti-slavery, advocated the absorption of Mexico by the admission to the Union of individual Mexican states as fast as they should apply. The disrupted condition of Mexico favored this solution.²

In New York the Hunker Democrats came out strongly. The "Address to the Democracy of New York" unanimously adopted by the Syracuse Convention explains that as the purpose of the occupation of Mexico is to advance human rights such occupation is misnamed a conquest. "It is no more than the restoration of moral rights by legal means." The field for such a work is "opened to us by the conduct of Mexico, and such moral and legal means are offered for our use. Shall we occupy it? Shall we now run with manly vigor the race that is set before us? Or shall we yield to the suggestions of a sickly fanaticism, or sink into an enervating slumber? . . . We feel no emotion but pity for those whose philanthropy, or patriotism, or religion, has led them to believe that they can prescribe a better course of duty than that of the God who made us all."³

January 12, Senator Rusk of Texas called on the President to request him not to commit himself further against the annexation of all of Mexico. Polk told him that his views had been distinctly stated in his message and that his mind had not changed.

As in our own day foreign pressure in this direction was not lacking. More than a year earlier Bancroft wrote Buchanan from London: "People are beginning to say that it would be a blessing to the world if the United States would assume the tutelage of Mexico."⁴ Rumors, too, were current of a rising annexationist party in Mexico.⁵

¹ Quoted in Niles, *Register*, LXXIII. 334, in article on "Manifest Destiny."

² The *National Era*, August 19, 1847. The article fills three and one-half columns. The plan was presented again February 3, 1848. As these Mexican accessions would probably have preserved their non-slaveholding character, the number of free states would have been immensely reinforced by any such proceeding.

³ Niles, *Register*, LXXIII. 391.

⁴ G. T. Curtis's *Buchanan*, I. 576. In this connection it is interesting to compare the forecast, at a somewhat later date, of Alexander von Humboldt: "Die Vereinigten Staaten werden ganz Mexico an sich reissen und dann selbst zerfallen." Roscher, *Kolonien, Kolonialpolitik und Auswanderung*, p. 177.

⁵ Cf. the citation by Von Holst, III. 342, from Hodgson's *Cradle of the Confederacy*, 251-252, in regard to the annexation party in Mexico. Hodgson's estimate, however, must be greatly exaggerated.

The foregoing all show that the agitation for "all of Mexico" was well started and needed only time to become really formidable. It was deprived of that requisite element of time by the astonishing course of Trist, who despite his recall still lingered with Scott's army and finally negotiated a treaty on the lines of Polk's ultimatum. How this conduct struck the President can best be told in his own words. When he hears, January 4, that Trist has renewed negotiations he says: "This information is most surprising. Mr. T. has acknowledged the receipt of his letter of recall, and he possesses no diplomatic powers. He is acting no doubt upon General Scott's advice. He has become the perfect tool of Scott. He is in this measure defying the authority of his government. . . . He may, I fear, greatly embarrass the government." On the 15th came a long despatch from Trist, which Polk declares "the most extraordinary document I have ever heard from a Diplomatic Representative. His dispatch is arrogant, impudent, and very insulting to his government and was personally offensive to the President. He admits he is acting without authority and in violation of the positive order recalling him. It is manifest to me that he has become the tool of General Scott and his menial instrument, and that the paper was written at Scott's instance and dictation. I have never in my life felt so indignant, and the whole Cabinet expressed themselves as I felt."

Buchanan was directed to prepare a stern rebuke to Trist and Marcy to write Scott to order him to leave the headquarters of the Army.

January 23, Senators Cass and Sevier advised the President to inform the Mexican government that Trist had been recalled. The next day Buchanan thought such a letter proper if Polk had made up his mind to reject the treaty. This Buchanan thought should be done. Polk said he could not decide till he saw the treaty. On the 25th the question was put before the cabinet. Walker agreed with Buchanan. In regard to the treaty Polk said that if "unembarrassed" he "would not now approve such a treaty," but was now in doubt about his duty. Buchanan still favored rejection, while Marcy was in favor of approval if the treaty were on the lines of the ultimatum, and John Y. Mason took sides with Marcy. It was finally decided on the 28th to despatch the letter to the Mexican government. The next entry of importance records the arrival of the treaty after nightfall, February 19. Polk found it within Trist's original instructions as regards boundary limits and thought that it should be judged on its merits and not prejudiced by Trist's bad conduct. The next evening, Sunday, the cabinet discussed the

treaty. Buchanan and Walker advised its rejection. Mason, Marcy, Johnson and Clifford favored its acceptance. Buchanan announced that he "wanted more territory and would not be content with less than the lines of Sierra Madre in addition to the Provinces secured in this treaty." Polk reminded Buchanan of his entire change of position during the war and adds in his diary that he believed the true reason of Buchanan's course to be that he was a candidate for the presidency. If the treaty were well received he would not be injured, if opposed he could say that he opposed it.

February 21, the President made known his decision to the cabinet: "That under all the circumstances of the case, I would submit it to the Senate for ratification, with a recommendation to strike out the 10th Art. I assigned my reasons for this decision. They were briefly, that the Treaty conformed on the main question of limits and boundary to the instructions given Mr. Trist in April last—and that though if the Treaty was now to be made, I should demand more, perhaps to make the Sierra Madre the line, yet it was doubtful whether this could be ever obtained by the consent of Mexico. I looked to the consequences of its rejection. A majority of one branch of Congress is opposed to my administration; they have falsely charged that the war was brought on and is continued by me, with a view to the conquest of Mexico, and if I were now to reject a Treaty made upon my own terms as authorized in April last, with the unanimous approbation of the Cabinet, the probability is, that Congress would not grant either men or money to prosecute the war. Should this be the result, the army now in Mexico would be constantly wasting and diminishing in numbers, and I might at last be compelled to withdraw them, and then lose the two provinces of New Mexico and Upper California which were ceded to us by this Treaty. Should the opponents of my administration succeed in carrying the next Presidential election, the great probability is that the country would lose all the advantages secured by this Treaty. I adverted to the immense value of Upper California, and concluded by saying that if I were now to reject my own terms as offered in April last, I did not see how it was possible for my administration to be sustained."

The rumor soon spread in Washington that Buchanan and Walker were exerting their influence to have the treaty rejected. On the 28th Senator Sevier, the chairman of the Committee on Foreign Relations, informs the President that the committee will recommend the rejection of the Treaty and advise sending a commission. The other members of the committee were Webster, Benton, Mangum and Hannegan. Polk declared his opinion unchanged

and expressed his belief that Webster's object was to defeat the treaty. Sevier said Webster wanted no territory beyond the Rio Grande, and Polk comments in his diary: "Extremes meet. Mr. Webster is *for no territory* and Mr. Hannegan is *for all Mexico*. Benton's position cannot be calculated." Polk concludes his entry with: "If the treaty in its present form is ratified, there will be added to the United States an immense Empire, the value of which twenty years hence it would be difficult to calculate." It was surely the irony of fate that the eyes of this resolute Augustus, enlarger of empire, were so soon closed in death and that he was not suffered to see in the consequences of his policy the fulfillment at once of the most dismal prognostications of its opponents and of his own confident prophecy.

For several days the treaty hung in the balance. On February 29, Polk records: "From what I learn, about a dozen Democrats will oppose it, most of them because they wish to acquire more territory than the line of the Rio Grande and the Provinces of New Mexico and Upper California will secure." On March 2, the outlook appeared more hopeful; on the third Benton and Webster are recorded as the leading opponents. The suspense came to an end, March 10, when the treaty was ratified at 10 P. M., 38 to 14, four senators not voting.

The reception of the treaty and its recommendation to the Senate clearly defined the position of the administration and tended to discourage the advocates of "all of Mexico." If Trist had returned as ordered and the war had been prolonged, we should probably have acquired more territory, but how much more is of course uncertain. Calhoun in his opposition realized that every delay in bringing the war to a close would strengthen the expansion party and complicate the situation in ways that would contribute to advance their cause. We can best realize the importance of the element of time in this matter and so appreciate the significance of Trist's unexpected action in securing a treaty if we remember how long it took after the battle of Manila Bay for the final policy of acquiring all the Philippines to be developed. Trist's treaty arrived about four months after the news of the capture of Mexico City and it was at least four months and a half after the battle of Manila Bay before the present administration decided to demand all of the Philippines. Nor must we forget in this comparison that the formation and expression of public opinion through the agency of the press proceeds to-day at a much more rapid pace than fifty years ago.

In conclusion, then, in answer to the question how we escaped

the annexation of all of Mexico in 1847-48 the following reasons may be assigned. The growing realization that territorial expansion and the extension of slavery were so inextricably involved with each other that every accession of territory would precipitate a slavery crisis powerfully counteracted the natural inclinations of the people toward expansion which are so clearly revealed to-day. The fact that the elections for the Congress that met in December, 1847, took place over a year earlier, before the great military victories of 1847 had begun to undermine the first revulsion from a war of conquest, gave the control of the House to the Whigs, who as a party were committed against the war and consequent annexations. Thirdly, there was the opposition of President Polk, who effectually controlled the policy of the government; and finally, the lack of time for the movement to gather sufficient headway to overcome these obstacles.

EDWARD G. BOURNE.

THE CHINESE IMMIGRANT IN FURTHER ASIA¹

IN entering upon their heritage in the Far East the people of the United States have the experience of four European nations to guide them in dealing with the all-important problem of Chinese immigration and labor. The conditions on the other side of the Pacific are so radically different from those which rightly or wrongly have determined our policy as to admitting the Asiatic workman into this country that we must dismiss old prejudices and learn to consider the Chinaman in our Eastern dependencies as an indispensable means to their economic development, not, as in our own country, an obstacle to our complete happiness. His nearness to the Philippine Islands and his ability and willingness to work in their tropical climate render us at once unable to exclude him from those shores and almost helpless without his steady industry to exploit them. It will be profitable and interesting to observe how he has been treated in these and similar regions by our predecessors the Spanish, the French, the Dutch, and the English.

The first and oldest of these colonizing nations has passed at length from the occupation of a few forlorn vestiges of empire which she was no longer fitted to retain, leaving to us, her successors, the sore legacy of her failure. For a time, doubtless, the business of restoring order in these islands of the East will press heavily upon us, but once fairly established our difficulties are likely to be rather economic than administrative. If the natives there prove themselves to be as fickle and fractious as they have been under the Spaniards we must look to China for the bulk of our labor supply, as they do elsewhere in the Archipelago, or fail utterly to make our holdings remunerative. That Spain neglected to do this was a chief cause of her political shipwreck, for the rebellions against which she was continually struggling were only the result and expression of economic collapse. Her first governors there, after founding Manila, very wisely encouraged the Chinese to settle in Luzon in order to promote trade from the mainland. Unfortunately this was a period of great and increasing disorder in China, when the empire was passing into the throes which portended the overthrow of the

¹ Paper read before the American Historical Association, at Boston, December 27, 1899.

Ming dynasty and the Manchu conquest. Piracy and buccaneering expeditions, by which thousands from the maritime provinces flourished exceedingly, gave the Spanish colonists an idea that the Chinese were dangerous fellows, to be watched and repressed wherever they settled. Added to this fear on the part of the Europeans was the jealousy of the native Tagals, who found themselves ousted from every lucrative pursuit the moment they were subjected to competition by Chinamen.

The result of these apprehensions was a resort to a policy with which the Spanish were familiar—that of extermination by massacre. The first fearful blow fell upon the Chinese in 1603, when in a few awful days twenty-three thousand of them were done to death by Spaniards and savage natives. The policy of slaughter once begun was more than once renewed,¹ but apprehensions of revenge induced the home government in the middle of the eighteenth century to order the entire exclusion of Chinese immigrants from the islands and the total expulsion of all those living there who had not been converted to Christianity. It was precisely the "hermit-nation policy" fostered and entertained at this period by China and Japan as regards Europeans, and universally condemned by these latter. But Spain was as incapable in execution as she was barren of policy. The order for exclusion was suicidal to the Spanish administrators; they got all their best pickings from taxing, fining and oppressing the Chinese in Luzon; their removal involved, therefore, the loss of their chief asset, and of course the edict from Madrid was never seriously enforced. A final effort to at least get rid of the Chinese trading class was made in 1804 by imposing prohibitive taxes upon shopkeepers which were remitted if they would go into the fields as laborers. But here their kindly and thoughtful rulers had omitted to take account of the prejudices of the Filipinos, who rose against the wretched Chinese and drove them back to the towns.²

In all this melancholy and disgraceful story of European inaptitude there appears to have been no desire on the part of either

¹ In 1639 some 20,000 are said to have perished in a six months' man-hunt conducted by Spaniards and Tagals. They were again set upon after the English occupation in 1763, and again so late as in 1819 when they were killed *en masse* in a cholera panic. J. Crawford, *Dictionary of the Indian Islands*, p. 349. Consul Stigand in *British Parliamentary Report*, F. O. Series, No. 1391, 1893. Guillemard, *Australasia*. J. Foreman, *The Philippine Islands*.

² Every European visitor to Manila testifies to its dependence upon the Chinese for its prosperity. Compare, e. g., Lawrence Oliphant, Comte de Beauvoir, Bickmore, Wallace and others. Up to the end of the Spanish occupation the Chinese were taxed \$60 per annum for the right to keep shop; taxes on other activities ranged from \$12 to \$100. All their accounts had to be kept in Spanish. In spite of injustice and oppression, however, the Chinese in Luzon appear to have increased in the past half-century from some 8000 to about 100,000.

officials or priests from Spain to understand or deal fairly with their unpopular subjects of this race. To tax and bully and murder them until it was discovered that the colony was threatened with ruin for lack of traders and artisans, then to neglect the instructions from the home authorities and weakly admit them again into their unholy partnership in robbing the natives—this was all the system they could devise in dealing with one of the most expert and subtle peoples on the globe. The only success the Spanish attained with the Chinese community was got from recognizing "captains" elected from their own number, whose business it was to collect taxes and arrange all internal dissensions. Thus the Chinese could secure a tolerable degree of liberty at the price of an excessive taxation.

The other Catholic colonizing power in the East has shown herself to be less bigoted than Spain touching the religious welfare of her subjects, but she has yet something to learn in the matter of political toleration. Owing to her nearness to the populous provinces of China Proper, France has in Indo-China a military and political as well as an economic problem to solve as regards China. The situation there seems at first sight to be complicated by the legacy of hate left among the Chinese on both sides of the border because of their defeat in war and expulsion from Tongking. The French are rather disposed to read into the Oriental mind something of their own soreness over the loss of border provinces, and to conclude that the Chinese have no intention of acknowledging their discomfiture and abiding by their treaty.¹ But to those who best understand Chinese character it does not seem likely that they will ever be found antagonizing their self-interest by indulging in dreams of *revanche* if an opportunity of making money safely is vouchsafed them under French rule.

Taking up Cochinchina as the oldest of this colonial group first, it is evident that thus far French measures touching this delicate and important problem have been inspired by political rather than by economic motives. Fear of Chinese machinations among the more docile Annamese and of being overwhelmed in this region by their numbers prompted a heavy poll-tax upon them all alike. The Chinese government protested against an invidious distinction placed upon its subjects, and appealed to treaty stipulations. So the French placed a tax upon all Asiatics; and inasmuch as the Chinese alone travelled frequently or far a *Service de l'Immigration* was established at Saïgon to watch them and control, if possible, their immigration.²

¹ The argument is developed in the Report of M. Séville in the *Recueil de Délibérations du Congrès Colonial National*, 1888-1890, Tome II.

² Decree of November 24, 1874; also of April 6 and October 13, 1876. Under this *Service* or the Director of the Interior all the Chinese and their affairs in this colony were brought. Instructions issued January 10, 1879.

A Chinese reaching Saigon by sea, unless a contract laborer, had to be registered at the immigration bureau and receive a card. If he came overland he was made to buy a pass from the administrator and exchange this subsequently for a *permis de circulation* good for one month. For breaking these regulations the punishment was expulsion from the colony, and if the immigrant was caught returning he had to spend three years at the penitentiary. Exception to these rules and penalties was made in favor of women and children, who almost never immigrated and who were much desired. Decrees regulating, taxing, fining, punishing (and of course always irritating) the Chinese in the colony follow each other thick and fast during twenty years. The legislation is ever a matter of checks and hindrances, an artificial system that looks beautifully in Paris but works badly in Saigon. Here is a specimen: In November, 1880, the governor orders every Asiatic not a French citizen, unless he be a landowner or indentured laborer, to provide himself with a workman's book which is to contain his name, his prenomens, his birthplace, his occupation, the names or domicile of his parents if belonging to the colony, his signature, his photograph, his number and the date of its issue, with sundry remarks if any room remained for them. For such a book the fee was 2 frs. 50 centimes, and if lost a new one cost 2 frs. more. The population of the region was roughly estimated at two million souls; if every adult male there got his book it was not strange that the French *fonctionnaires*, though numerous, complained of being overworked in a tropical climate. Moreover these attempts at prevention and control did not in the least affect the influx of Chinese into the colony. By January, 1885, the notion of the little book was allowed to drop in so far as immigrating Chinese were concerned, and they were required to buy a personal card for identification at the beginning of each year. For purposes of taxation they were divided into three groups: first, indentured laborers of the first and second class and landowners paying taxes of sixty *piastres* (Mexican dollars) or over; second, indentured laborers of the third class and landowners paying between sixty and twenty *piastres* in taxes; third, all others, women and those under fifteen or over sixty years excepted. To leave the colony every Asiatic was made to spend 2 francs for a permit.

In spite of the admirable completeness of these arrangements the Chinese were not kept well in hand, and the expected prosperity was still somewhat painfully awaited. But the French would not give up their centralized system, their cards of identification, their classification by category. Existing regulations¹ there are slightly

¹ Dating from a decree of February 19, 1890.

less severe than of old, but they compel the incoming Asiatic to go to the capital, register at the bureau of immigration, accept a place in one or another of the groups recognized by government, obtain a travelling certificate, have his *permis de séjour* renewed each year, and when he departs receive a passport. The three groups covering all Chinamen are those paying eighty, sixty and seven *piastres* annually in taxes. Anyone found associated with a secret society not authorized by law is heavily punished by fine and imprisonment and then expelled.

In Tongking the situation has been complicated not only by a long conterminous Chinese frontier but also by a sentiment of disgust on the part of Frenchmen toward a country which has cost so much blood and treasure and proved apparently to be of so little worth. Legislation applying to this region, so far from profiting by the experience of Cochinchina, has been of the haphazard sort, and marked beside by an illogical feeling of disappointment which cannot be said to reflect credit upon a civilized nation. Immediately after the conquest a general tax was ordered (in 1885) to be levied on all Chinese alike. In December, 1886, after a protest from Peking, this distinction was made less invidious by applying the tax to all Asiatics whether resident or immigrant. The *carte de séjour* and relegation into categories were also adopted as administrative measures; but here four groups were constituted: those paying three hundred francs and more in taxes, those paying over sixty francs, those owning land, licensed laborers, employés, etc., and lastly common workmen. The yearly cost of the card was fixed at 300, 100, 25 and 10 frs. respectively according to category. But these terms did not suit the Celestial, who stopped coming, and here as elsewhere in this part of the world the European found himself practically helpless without the assistance of Chinamen in his plantations and mines, his boats and wagons, his shops and houses. The laws were again tinkered, the categories extended and amended through a long series of changes, the result of which has been to let down the bars almost entirely and allow the Chinaman to come in on his own terms. By applying for a permit from French consuls in the South China treaty ports he can now travel and traffic for two months in Tongking and Annam without any payment whatever;¹ while for those who choose to remain the categories have been so reduced as to rest very lightly upon the industrial and trading class.

Such treatment as the Chinese have thus far received from the French has not tended to remove difficulties or supplant ancient prejudices. Nor do the French colonists love them much better

¹ Decree of May 15, 1890.

than do other Europeans. Nevertheless the indefatigable Chinaman, who can thrive in a tropical jungle and work like an insect in the sun, is indispensable to French success in Indo-China. There may be some apprehension lest his success there leave no room for his French masters, but without him the Frenchman is as naught; he cannot even exist. The Chinese have already got the whole interior trade of Cochin-China in their hands; more than this, they know as well as Europeans how to charter steamers, load them with manufactured articles in the West and bring them to Réunion, India, China, and elsewhere. It is said that during the first trying years of occupation, when the French had only very irregular and uncertain means of communication between Cochin-China and the world beyond, the Chinese of Saigon maintained and profited by a regular courier service direct to Canton, where they learned the latest market quotations and easily distanced all their European commercial rivals.

The Dutch, who are to-day the oldest colonial masters remaining in the Indian Archipelago, have the reputation of being more disliked and feared by Asiatics than any other Europeans.¹ This is doubtless owing to the unyielding rigor of a rule which, based primarily on sheer greed of gain, held its monopoly for a century in these waters against all Europe and developed its plantations by means of slavery and forced labor solely for the interest of its own capitalists and stockholders. Alone among Europeans they have succeeded in training tropical islanders to steady labor. The natives of Java being completely under their control furnish an adequate supply of hands for their fields, so that here, at least, there is less economic need for the Chinese than elsewhere in this whole region. In Sumatra and Borneo, which the Dutch only partly and imperfectly control, the determined and often turbulent conduct of Chinese squatters threatening the annihilation of all native Malay authority, both races have accepted the over-lordship of Holland during the present century.² As is usually the case the Chinese are satisfied to let others rule—provided the rule is real—if they can live in peace and earn money.

Long ago an attempt was made with all the implacable determination of the Dutch to limit and repress Chinese immigration into Java. All manner of expedients were tried to annoy them, to throttle their business ventures and prohibit their landing. The

¹ Compare a journal written by Ong Tai Hai in 1790, *Chinese Miscellany*, Canton, 1849, p. 3.

² In 1818, Holland renewed the old rights of the Dutch in Borneo, where about 40,000 Chinese are now supposed to yield them nominal allegiance. The Dutch are still fighting for control of northern Sumatra.

climax was reached when in 1740 Governor Adrian Walkenier tried the good old-fashioned Spanish policy of Massacre. In opposition to his more sensible council he set the populace upon the wretched Chinamen who, taken unawares, defended themselves desperately, but were butchered and burned in their houses or hounded in the end like wild beasts in the jungle, until some ten thousand, it is supposed, perished. This service was so agreeable to the excitable Javanese that their masters, frightened at the awful blood-thirst their order had aroused, were compelled to call out the troops to reduce them to reason. To insure themselves against reprisals they built a number of new forts on the island, and the Chinese were made to live in *kampongs* or settlements by themselves. Though no longer persecuted there, the Chinese of Java are as unpopular as ever with the Dutch, obviously, it may be inferred, because they are less servile than the native islanders and also because their industrial competition is a serious menace to the Dutch monopoly.

The cardinal principle of control applied by Holland to these subjects in her colonies, that of government through intermediaries of their own race, was borrowed from their predecessors the Javanese sovereigns. This, and the invariable practice of keeping them well segregated in *kampongs* apart from the natives is about all the contrivance the Dutch use. It has the merit of simplicity, but it does not relieve the administration from very grave and constant fear of outbreaks between Chinese and Javanese. The problem is not satisfactorily solved. Though the last decree against their immigration was abrogated as useless and impracticable in 1837 the attempt to restrain their coming is maintained by requiring passports and imposing a heavy poll-tax and other dues upon them. But the Chinese are known to hate the Dutch and there is always apprehension lest they forget their customary calm and rebel. Yet they are necessary to the circulation of the wealth of the country, and as all acknowledge by this time there is no doing without them.¹

Looking, now, to the British experience in managing Chinese in their colonies we shall find that they have been successful precisely in proportion as they have been liberal toward this people. Alone of all the Europeans they have not recoiled at contemplating a reservoir of hundreds of millions of this persistent and pro-

¹ Their number at present throughout all the Dutch Indies is roughly estimated at less than half a million, about half of whom live in Java and Madura; not a very formidable total when arrayed against a population of thirty-four million in all these islands; but in the affairs of men it is quality rather than quantity that counts.

creating race ready to flood into any country and fertilize the earth under any climate. In establishing their strategic posts in Further Asia the English needed workmen—traders to supply provisions, coolies to dig and to carry, compradors to clerk and translate, domestics to render life possible to the exotic colonial officer; if these were not forthcoming their stations were doomed to fail, for these were not localities where Europeans could settle and undergo physical fatigues.¹ The Chinese, as usual, were eager and willing to be employed, being attracted by the hope of protection and a chance of gain. They flocked into Singapore and Penang early in this century, as they did to Hong Kong in its middle decades, and as they are doing in Borneo and Burma at its end. In each colony the success from a commercial and administrative standpoint has been astonishing. Let us consider them one by one.

Hong Kong, the smallest but most flourishing British colony in the East, is perhaps the most suggestive for our study of the problem of the Chinaman under European control, and hence deserves attention first. Here, of course, there was no expectation of introducing more than enough Europeans to manage the territory and command its garrison. The Chinese were allowed to form the great bulk of the population and were governed and judged in accordance with their own and not English customs. They have been cautiously and ever so slowly warped into conformity with English law and forms of government, and the process is still going on; but perhaps the main cause of the British success here is due to the caution and liberality with which this race-amalgamation is conducted. It must not be supposed that the task has been altogether easy, even though greatly simplified by having her human experiment-station located as an island in England's element the sea. The natives who swarmed over from the opposite coast were not always of the kind wanted. Many of them indeed were the same sort of insurgents, highwaymen and river-thieves that have been more recently bothering the French in Tongking. They brought over their clan feuds, their passion for larceny and gambling and their generally deplorable morals; they had no conception of cleanliness or hygiene; they despised women, only using them for purposes of prostitution; and lastly they introduced their inevitable secret-society system, with its ramifications throughout all Eastern Asia and its debauching influence on the civic morality of its adherents.

Yet British patience and system overcame the difficulties in-

¹ Compare Professor H. Morse Stephens's account of the administrative systems in these colonies in this REVIEW for January, 1899, p. 246.

volved in managing such a welter of disorderly elements. In the first place they were not afraid. Serene in the consciousness of their ability to manage Asiatics, these Englishmen, unlike the Spanish, the French and the Dutch under somewhat similar circumstances, placed no restrictions upon the coming of all who would help them build up a settlement on an empty island. In the second place they were not too particular. Once in the colony they set the common people apart in a quarter by themselves, watching them closely as was necessary, but interfering as little as possible and avoiding needless irritation. This business of policing the community was one of considerable complexity. Chinese constables of course came cheap and were easily obtained, but they were apt to take bribes and become accomplices in crime. Sepoys from India cost more, but were more reliable than natives for such service, while they were hardier in a tropical climate than Europeans; they lacked tact, however, and failed to inspire the same respect as men of Caucasian race. Englishmen, on the other hand, were excessively costly and likely to succumb easily to the climate, while their ignorance of the language and the people rendered them almost useless in the Chinese quarter. Though no element was effective by itself to constitute a force, the combination of all three proved completely successful. A police service was organized which in 1860 contained 60 Europeans, mostly officers, 300 Indians, and 110 Chinese; thirty years later it had 100 Europeans and 200 Indians against 400 Chinese, the latter secured by a bond of \$50 each.

A stern insistence upon the perfect equality of all men before the law was a feature of British rule that not only earned general approval among the natives but flattered their national pride. It was an epoch in the life of a nation when the first white man was hanged for the murder of a Chinaman on British soil, and the lesson of that judgment has not yet been forgotten. Piracy, for centuries one of the chief activities on the waters of South China, has demanded constant attention there. It is still fearfully prevalent in the obscurer bights and channels of the Archipelago, but in the early days of both Singapore and Hong Kong it had reached the proportions of a profession which engaged all the more enterprising element in the sea-faring population and had become a menace to foreign trade. But the merciless pursuit of their countrymen, and often enough of the near friends and relatives of Chinese living at Hong Kong, did not arouse these colonists in the least. On the contrary they respected a power that knew how to make its rule felt on the side of law and order. For the Chinaman, whose god is gold, understands the excessive risks of its worship under

conditions of anarchy. He may not object to gains to be got by robbery, but he usually prefers legal to illegal means of earning his living, not for moral reasons but because it is in the long run more profitable.

The customs and prejudices of Chinese living under British control in Hong Kong are violated as little as possible. Their section is always crowded, their domestic habits often filthy and unwholesome, their women immoral. But unless these unpleasantnesses palpably threaten the public health they are ignored. The Chinese, however, who overflow into the better built "foreign" quarter have to conform to European usages. For the rest education must be left to accomplish the Herculean task of cleaning the Chinaman's habitation by purifying his mind and morals. Schools are opened there to the very humblest in the social scale and their influence and success are encouraging.¹ Nor are the English more jealous of the increase of wealth among the Chinese living there than of their increased intelligence. Here is a significant contrast: In 1876 the twenty largest taxpayers in Hong Kong included twelve Europeans paying \$62,523, and eight Chinese paying \$28,267; in 1881 the same group comprised only three Europeans against seventeen Chinese, the latter paying about \$100,000.² At present it would be safe, probably, to look for all the richest men in the colony among its Chinese residents. Nevertheless both they and the British know that it is the Englishman who brings and safeguards all this wealth. A community in Eastern Asia needs no fairer assurance of stability and content than such a conviction.

To understand British methods of dealing with the Chinese it is suggestive to examine some typical experiences in the government of Hong Kong. In 1844, when the infant colony was quite naturally alarmed at the influx of disorderly elements from the mainland, the governor tried to impose a poll-tax on all residents of the island alike; the action was thought to be too sudden and comprehensive and was withdrawn, after protests from the foreigners, in favor of a registration system applying only to the lower orders of Chinese. Among the acts of Sir John Bowring was one giving natives the privilege of owning British vessels and using the British flag on craft registered in the colony³—one of which happened to be the famous lorcha *Arrow*, the immediate cause of the second war be-

¹E. J. Eitel, *Europe in China: The History of Hongkong*, 1895. In 1852 the colony, with 37,000 inhabitants, had 134 pupils in five schools. Within less than a half-century this has grown to some 6,800 pupils in 109 schools, besides 2,000 more who attend private establishments, out of a population reckoned at 250,000.

²J. Chailley-Bert, *The Colonization of Indo-China*, English transl., p. 85.

³Ordinances 4, 1855, and 9, 1856.

tween England and China. Another recognized Chinese wills, made in accordance with Chinese law and usage, in colonial courts.¹ Another established cemeteries, instead of allowing indiscriminate private burial.² Another organized control over Chinese living on the island through their recognized *Tipos*, or headmen, and also established a census bureau;³ while another removed the old monopoly of the market for food-stuffs from the hands of two or three favored compradors.⁴

The so-called cadet-system, introduced by Sir Hercules Robinson in 1860 for the better government of the Chinese in the colony, had in view two chief things: first, that the natives should understand the governor's ordinances, second that the governor should understand the objections or desires of the Chinese. The first of these was fairly secured by having ordinances touching the Chinese translated and published in their language.⁵ The next point involved the abandonment of Bowring's application of the Dutch system of control through native gild-leaders⁶ and intrusting all Chinese matters to the registrar-general. But to be effective the governor was careful to appoint to this office only men who were both acquainted with the life and language of China and were also in full sympathy with the people. This difficult end was achieved by his somewhat famous cadet scheme, which provided the colony with a staff of civil-service young men, who were brought to Hong Kong to study the language and promoted when qualified to places in the department. From this trained and tried corps the registrar is now always chosen, and upon his personal qualifications and ability depend for the most part the peace and happiness of more than two hundred thousand individuals. Fifty years of these and other carefully conducted experiments have shown how readily the Chinese yield to and appreciate the benefits of an enlightened rule. But when asked to love the European for himself or to accept his philosophy of life, they steadily and persistently refuse. They show none of the blind fidelity of the negro, none of the almost chivalrous loyalty of the Sikh, nor of the admiration of the Japanese, when associated with the European. "On the Chinese side there is as yet," rather mournfully observes the historian of Hong Kong,

¹ Ord. 4, 1856.

² Ord. 12, 1856.

³ Ord. 8, 1858.

⁴ Ord. 9, 1858.

⁵ A separate and complete issue of the *Hong Kong Government Gazette* is now published in Chinese.

⁶ Ord. June 30, 1861. Substantially a return to Captain Elliot's original policy of 1841, with which the colony started.

"no desire to see the chasm that still separates Chinese and European life in this country bridged over."¹

Though further removed from China the necessity of engaging the Chinese on their side impressed the founders of Singapore no less than those of Hong Kong, and here after a period of hesitation somewhat the same policy of supervision was devised as in the younger colony. As the key of the Malacca Straits established at the conclusion of the Napoleonic wars its questions of military defence were obviously most important in the beginning, but its permanent prosperity as a commercial station depended upon the way in which the Chinese made use of the opportunities offered to co-operate as individuals with the efforts and intention of the British. Those members of the colonial administration best fitted by their knowledge or special aptitude to deal with these people were put into a special department for the purpose, and at its head was an officer called the Protector of the Chinese. Here and in the other Straits Settlements the Chinese came into competition both with the Malay native and with the Hindu coolie; but the Chinese have proved themselves, both in the sugar plantations, at the mines and about the towns, to be in the long run cheaper than their competitors. They now constitute by far the largest element in the colony² and have practically monopolized the retail trade and provision business.

From accounts brought to them in the early days, of the formidable nature of Chinese secret societies, their riotous and unholy conclaves and their tendency to supplant legitimate government, the colonial authorities in the Straits were at first inclined to insist on their suppression. Fortunately it was felt, rather than formally concluded, that this was impracticable. Such a policy would inevitably have antagonized the whole Chinese population and probably have landed the English where the Spanish were at the end of their colonial career. There is always a better way of dealing with this extraordinary proclivity towards combination; by working in harmony with rather than against the racial instinct, by ordering the registration of all societies and only moving against the illegitimate, by using the societies as intermediaries and by rather ostentatiously engaging the good offices of their headmen, a great change for the better was effected.³ The poor Chinaman who is not a member now

¹ E. J. Eitel, *Europe in China*, pp. v, 574. See also P. Leroy-Beaulieu, *Colonisation chez les Peuples Modernes*; H. Norman, *Peoples and Politics*; and Eitel's *Handbook to Hong Kong*, 1893. "The Ordinances of the Legislative Council of Hong Kong" were last published in the colony in quarto in 1890-1891, four volumes.

² About 235,000, against 214,000 Malays and 54 natives of India, Singapore, Penang, and Malacca.

³ See J. D. Vaughan's *Manners and Customs of the Chinese of the Straits Settlements*, 1879; F. Ratzel, *Die chinesische Auswanderung*, pp. 198-219; G. Schlegel,

no longer fears to testify against a *hwei* nor to call upon the courts for protection when one of them tries to harass or rob him. On the whole, considering that he is bound to come, that he is determined to live in his own fashion, that he is indispensable to the material success of these centres of international trade, and that he is callous and unimaginative to a degree unknown in other races, the Chinaman has been admirably managed, though it must be confessed he has not been mastered, by the Englishman in his colonies of the further East.

In North Borneo the protectorate may be seen passing through certain of the phases which marked the early years of Penang and Singapore. Here and in Raja Brooke's dominion of Sarawak the Chinese are for the most part either pirates or the descendants of pirates, and the old hostility between them and the truculent Malays is apt to break out at times in bloody frays.¹ The Chinese accumulate in towns as soon as these are founded and strengthen and develop them by stimulating financial enterprises which would fail without their aid; but the English appear to distrust them here rather more than they do elsewhere, and under the influence of this solicitude they have been rather less successful with them in these than in their other colonies.

In Burma, on the contrary, where the cultivation, mining, building and commerce of the country have long been in either Parsi or Chinese hands, the Celestial is a welcome assistant to the British administrator. Unhappily here as everywhere on the border of southern China those who flock across the frontier show a disposition to go marauding through the loosely settled districts; but in this region they presently marry native girls—treating them much better than do Shan and Burmese husbands—and eventually remain to multiply and implant their characteristic institutions. The situation in Upper Burma after the British absorption in 1885 was in many respects peculiar. The region had long been harried by roving dakoits, the result of King Theebaw's misrule, and this afforded Chinese filibusters tempting opportunities which were not altogether neglected. Their numerical preponderance in Bhamo had years before converted the town into a Chinese stronghold and *point d'appui* for further aggressions, while the nearness of their own

Thian ti hwei, Batavia, 1866; and the present writer's paper on "Chinese and Medieval Gilds" in the *Yale Review* for August and November, 1892. The chief danger to the peace of the colony from the Chinese now lies in the ancient rivalries between immigrants from Fuhkien and Kwangtung provinces, which seem to breed a hate that never dies. Sometimes these clan fights are little civil wars.

¹ G. Schlegel, *Les Kongsî Chinoises à Borneo*, in the *Revue Coloniale Internationale*, Leyden, September, 1885.

borders, across which they could always retire for refuge and assistance, rendered their pursuit and punishment extremely difficult. These conditions, combined with the physical obstacles presented by jungle-clad mountains and trackless wildernesses, made the task of introducing order very trying. But after some ill-advised severity, the result of inexperience, the Chief Commissioner adopted a policy of not only conciliating but frankly welcoming the Chinese. Instead of showing fear he encouraged them to come in and settle. The whole Irrawaddy valley is now practically theirs to occupy and exploit at will. The certainty of very profitable harvests and likely ventures is already bringing over a better class of immigrants from China, who will not tolerate the turbulence of the old set. So by engaging the Chinese as their partners in a complicated bit of colonial exploitation the British have, while purposely surrendering a valuable region to those best able to exploit it, secured the warm and enthusiastic approval of a people who will strengthen and enrich the empire and will, if only for their own selfish ends, stoutly resist the encroachments of any foreign power desirous of military occupation and consequently of interfering in their prosperity.¹

To sum up: it is evident that we have a very different phase of Chinese immigration in the East from that which presents itself in the sparsely populated regions of the temperate zones where white men can both work and dwell. In Indo-China and the Archipelago it is palpably impossible to keep the Chinese altogether out, and it is as obviously madness to attempt to do so if the rulers of colonies there desire to check anarchy and render their possessions profitable. Unwelcomed and unloved though they may be by all races alike, we cannot deny them qualities which make for permanence and material success. Their unpopularity may in some degree be attributed to their virtues, which by carrying them triumphantly through the competition of modern industrial life incur the lasting enmity of their rivals who are left behind. It is this dislike rather than ineradicable aloofness on their part which makes it convenient or necessary to segregate them in quarters by themselves when dwelling abroad. If treated fairly they assist rather than thwart the work of municipal administration by setting the machinery of their social organizations to act in its defence. To the charge that these societies are a menace to governments under which they exist obscurely, it may properly be asked whether there is any known instance of their subverting a government that had proved itself fit to

¹ Compare Dilke's *Problems of Greater Britain*, p. 461; J. Chailley-Bert, *Colonization of Indo-China*, Part 2; Isabelle Massieu, *Une Colonie Anglaise*, in the *Revue des Deux Mondes*, September 15, 1899.

rule. The fact is that while the most democratic people in the world in their social and commercial relations, the Chinese are by temperament believers in absolute monarchy, and are for the most part indifferent to affairs of state and politics provided these are so conducted as to leave them in peace.

From the standpoint of the colonial governor it is eminently necessary to watch the character and quantity of the Chinese tide, and to check the tendency of this people to manipulate things for their own particular ends. If allowed, the Chinese will overwhelm and efface the European, as is the case in Portuguese Macao; yet if too severely repressed, as in the Philippines and Tongking, the result economically speaking is almost as disastrous, for the colony ceases to thrive and dies eventually of inanition. It is to us active and eager Westerners a strange compound of passiveness and courage, despicable at first view, but afterwards found to be invincible. As the Prophet Isaiah declared of the ancient Egyptians, "Their strength is to sit still."

FREDERICK WELLS WILLIAMS.

DOCUMENTS

*"A Memorandum of M. Austin's Journey from the Lead Mines in the
County of Wythe in the State of Virginia to the Lead
Mines in the Province of Louisiana West
of the Mississippi," 1796-1797.*

THE journal of Moses Austin given below is published through the courtesy of his grandson, Colonel Guy M. Bryan, of Austin, Texas. The original is among the Austin papers now in possession of Colonel Bryan, which include a large mass of highly valuable material relative to both Moses Austin and, his son Stephen, and especially to the Anglo-American colonization of Texas. The journal may be appropriately introduced by the following sketch,¹ which was written by Stephen F. Austin for the information of his younger brother, J. E. B., or Brown, Austin :

"The idea of settling North Americans in Texas originated with my father, Moses Austin.

"My father was a native of Durham, Connecticut, and was regularly educated a merchant. He was a partner of the importing house of Stephen Austin and Co., in Philadelphia, and married Miss Maria Brown in that city, a native of Morris County, New Jersey, shortly after which a branch of the mercantile house was established in Richmond, Virginia, under the firm name of Moses Austin and Co., and my father settled in that city.

"Some years afterwards, the company purchased the lead-mines in Wythe County, Virginia, on New River, known as 'Chisel Mines,' to which place he removed and conducted the mining and manufacturing of lead on an extensive scale.

"He was the first who brought to this country English miners and manufacturers of lead, and he established the first manufactory of shot and sheet lead in the United States, at Richmond, and the mines on New River, Virginia.

"A brother of my father, Elijah Austin, was well known to the mercantile community of New York and New Haven as being the first who ever fitted out a ship for a sealing voyage to the northwest coast of America, and from there to India, by which means a source of commerce was opened that has since been greatly extended.

¹ *A Comprehensive History of Texas*, edited by Dudley G. Wooten and published by William G. Scarff, Dallas, I. 440-444.

"My uncle fitted out Captain Green, who made the first trip of this kind that was ever undertaken.

"In 1796, my father, finding the mines on New River less productive than he had expected, and having accidentally met with a person who had been in the mining district to the west of Saint Genevieve, west of the Mississippi River, in Upper Louisiana, and who gave a favorable account of the prospects in that country, determined to visit it. After much difficulty, he obtained the necessary passports from the Spanish minister, as at that time the Spanish possessions extended to the Pacific Ocean, and were closed to the admission of foreigners.

"During the winter of 1796 and 1797 he explored Upper Louisiana, and with his whole company nearly perished in the wilderness between Vincennes and St. Louis. At that time Vincennes was the only settlement between Louisville and St. Louis. He obtained a grant for one league of land embracing the lead-mines of 'Mine A. Burton,' and in 1798 removed his family from Virginia to his new grant.

"'Mine A. Burton' is forty miles west of St. Genevieve, and at the time my father moved there was uninhabited.

"Parties of miners spent the summer there digging for ore, and packed in the lead on horses to St. Genevieve; but there had never been a single family who ventured to spend a winter, as the Osage Indians were hostile, and had succeeded in confining the French population to the town of St. Genevieve. In fact, at that time the settlements in Upper Louisiana were confined exclusively to the villages of New Madrid, Cape Girardeau, St. Genevieve, Carondelet, and St. Louis, on the banks of the Mississippi, and to St. Charles on the banks of the Missouri.

"The first family who settled permanently at 'Mine A. Burton,' and in what is now called Washington County, in the State of Missouri, was that of Elias Bates, a nephew of my father, who moved there from St. Genevieve in the fall of 1799. The following spring, my father and several who followed him from Virginia removed, and during the summer he collected around him a sufficient force of Americans to make a permanent stand against the Osages and other hostile Indians.

"They were, however, greatly exposed, and in 1802 the village of 'Mine A. Burton' was attacked by a large party of Indians, their chief object being to plunder my father's house and store, and to kill the Americans, or Bostonians, as they called them. He had, however, taken the precaution to provide himself, in addition to other arms, with a three-pounder, and being fully prepared for a defence, the Indians failed in their efforts and were driven back.

"My father's house formed a kind of nucleus for the Americans who had found their way over the Mississippi, and a considerable village was formed, so that in 1803, when Louisiana passed to the United States, the country about 'Mine A. Burton' had begun to settle. And it was thus that the first settlement in Washington County, Missouri, the extension

of mining, the erection of regular smelting-furnaces, mills, etc., owe their origin to the enterprise and perseverance of my father.¹

"Considering that when he first visited Upper Louisiana in 1797 the country from Louisville to the Mississippi, now composing the States of Indiana and Illinois, was a total wilderness, with the exception of Vincennes, on the Wabash, and Kaskaskia, and a few French settlements in the Mississippi bottoms opposite St. Louis and St. Genevieve; that he moved by a new and almost unexplored route down the Kanawha River in large flat-boats, a thing which never before had been attempted from the point where he embarked; the mountainous and wilderness country through which he had to pass between Austinville and that point; the thinly populated situation of the western portion of Virginia and the States of Kentucky and Ohio; and to this add the immeasurable distance which it was then thought separated Louisiana from the settled portion of the United States, and the universal prejudice which existed against the Spanish government; the long and tedious trip by flat-boats down the Kanawha and Ohio Rivers, and up the Mississippi to St. Genevieve, and the hostile condition of the Indians, and I think it will be readily conceded that my father is justly entitled to high credit for his enterprise in having even conceived the idea of moving his own and many other families from the interior of Virginia to so remote a country. His success affords a proof of his judgment and perseverance.

"After Louisiana passed to the United States my father's characteristic enterprise and activity were soon apparent in the advancement of improvements, both of an individual and public nature, as the old settlers of 'Mine A. Burton' will abundantly testify. He acquired a considerable fortune; his standing was always high as a valuable and honorable member of the community.

"His family consisted of three children,—Stephen Fuller, the eldest, born at Austinville, Virginia, November 3, 1793; James Elijah Brown, the youngest, born at 'Mine A. Burton' (Potosi), 1803; and Emily Margaret Brown, born June 22, 1795, at Austinville, Virginia, who married James Bryan, was left a widow, and afterwards married James F. Perry.

"My father was a principal stockholder in the Bank of St. Louis, and may be said to have been its founder. In 1817 and 1818 that institution fell into the net of Kentucky speculators and was broken. My father was one of the chief sufferers by their manipulations; he and his family were pecuniarily ruined.

"In 1819, he proposed to me the idea of forming a colony in Texas. The treaty of De Onis had been brought to a conclusion, and the right of Spain to Texas appeared unquestionable, and grants from the Spanish authorities would therefore be valid. The project was discussed by us in Durham Hall at 'Mine A. Burton' for several days, and adopted.

¹ Schoolcraft, in his *Thirty Years with the Indian Tribes*, pp. 32-33, gives an account of a meeting which he had with Austin at Herculaneum, Mo., in the summer of 1818, and in *A View of the Lead Mines of Missouri*, etc., published soon after, he gives a description of the mining operations in the district where Austin was then located.

"In April, 1819, to facilitate us in our Texas colonization project, I started from Missouri to Arkansas, and commenced a small farm at Long Prairie, on Red River. The years 1819 and 1820 I principally spent in Arkansas, and I located a New Madrid claim¹ at Little Rock, the site where the seat of government of that Territory is now fixed. I was also appointed by Governor Miller one of the circuit judges of Arkansas.

"In the fall of 1820, my father came on from Missouri, and proceeded to visit the Spanish authorities of Texas at Bexar (San Antonio), the capital, and I went to New Orleans to make such arrangements as circumstances might require or permit.

"My father, after a fatiguing journey on horseback of more than eight hundred miles, through a totally unsettled and wilderness country, reached Bexar in November: his reception by the governor was discouraging. Antonio Martinez, the governor of Texas, was a European Spaniard by birth. He had received rigid instructions from Arredondo, the commandant-general, not to permit foreigners, and particularly North Americans, to enter Texas. He was not on good terms with Arredondo, therefore particularly cautious, not desiring to expose himself to the vengeance of his personal enemy.

"At the first interview my father received a most peremptory order to leave Texas immediately; he endeavored to palliate and give a favorable turn to matters by entering into a genial conversation with the governor in French, which they both understood, but his efforts were fruitless; the governor even refused to read the papers my father presented as evidence of his having formerly been a Spanish subject in Louisiana, and repeated his order, with much asperity and some passion, to leave Texas immediately.

"There was no alternative, and he left the government house to prepare for retracing his course through the wilderness to Natchitoches.

"In crossing the public square, he accidentally met the Baron de Bastrop. They had seen each other once before in the United States, having met at a tavern when travelling, many years previous. He invited my father to his room, where he lived in great poverty, but his influence with the government was considerable, and very great with the inhabitants of Bexar, who loved him for the universal benevolence of his disposition. He was a man of education, talents, and experience, and thoroughly initiated into all the mysteries of the government house.

"The object of my father's visit to the capital of Texas was explained, his papers examined, and the project of a new colony talked of; the difficulties he would have to overcome were stated and answered, and the advantages to result from it were enlarged upon; they discussed it in all its phases. The benefits which would result from the contemplated colony were apparent to him at first view.

"My father was unwell from the fatigue and exposure of his trip, and

¹The "New Madrid" certificates were issued by the federal government under the Act of February 17, 1815, to those who suffered by the earthquake at New Madrid. See *United States Statutes at Large*, III. 211-212.

the baron reported him to the governor as being too sick to travel without endangering his life, and a suspension of the order for his immediate departure was obtained.

"At the end of a week the governor and *ayuntamiento* of Bexar united in recommending a petition from my father to the '*Ex' mo deputation Provincial de las Provincias internales orientales,*' at Monterey, asking for permission to introduce and settle three hundred families from the United States of America at any point in Texas which my father might select.

"The entering wedge was thus placed for opening a legal passage for North American immigrants into Texas, but it required inflexible perseverance, and years of toil and labor, to drive it forward.

"A mere accident had prevented the total failure of the first preliminary step. The absence of the Baron de Bastrop, his ignorance of my father's character and standing, or his indifference as to the success or failure of the scheme, would have defeated the whole project; for when my father met him in the square, on leaving the government house, he was determined to quit the place in an hour, being much disgusted and irritated at his reception by the governor.

"My father left Bexar previous to the confirmation of the grant, and after a tedious and distressing journey reached the settlements on the Sabine River. His provisions having failed, and the powder he had provided himself with being so damaged that he could kill none of the game with which the country abounded, he was compelled to travel the last eight days of his return with no other nourishment save the roots and acorns he could gather in the woods.

"The hardships and privations of his return, in the midst of winter, were so severe that he was taken with the fever, and confined to his bed for three weeks at the house of Mr. Hugh McGuffin, on the east side of the Sabine River. There he was met by his nephew, Elias Bates, who left Herculaneum, Missouri, some time in December in search of him, and as soon as he could travel he started with Bates for Natchitoches, where he arrived in January, 1821, very unwell and greatly afflicted with a pain in his breast, caused from a severe cold he had contracted during his trip of exposure and privation. He was fifty-six years of age, but his constitution, naturally good, had begun to yield to time, fatigue, and misfortune.

"He returned to Missouri by water, and had the happiness of being once more in the bosom of his family, now reduced to my mother and my sister Emily, my brother James being still in Kentucky at school, and I at New Orleans. My father never recovered from the exposures and privations of his return from Bexar, through Texas, and the cold he then contracted changed into pneumonia, and he died at the house of his son-in-law, James Bryan, in Missouri, June 10, 1821, in the fifty-seventh year of his age."

In preparing the copy of the journal for publication the original has been closely followed, except in one or two small matters

of punctuation. Thus, periods have been inserted at the end of sentences. The diarist's practice is frequently to omit them; to follow this exactly would make the text unnecessarily hard to read. The title used is that formulated by Moses Austin himself. The journal is a small paper book of thirty-eight leaves, about seven inches long and four and a half inches wide.

GEORGE P. GARRISON.

THE JOURNAL.

On the 8. day of Decemb^r 1796 in the Evening I left Austin Ville on Hors Back taking Jos. Bell as an assistant and a Mule to Pack my baggage and that night went to Mr. James Campbells who on the morning of the 9 started with me for Kentuckey. Nothing of note took place from Mr Campbells to Cap^t Craggs where we arrived on the 11th at Eve furnishing ourselves with Blankets &c at Abington as we pass.d. the Morning of the 12 I left Cap^t Cragg, in Company with a Mr Wills from Richmond bound to Nashvill in the State of Tennessee. that night I arriv.d at the Block Hous, so Call.d from being some years past us.d as such but at this time in the hands of Colo Anderson, at whose Hous, it was Expected good accomedations, could be had, more so in Consiquence of his being a friend of Mr Campbells. however, it was with great Trouble, that he adimted us under his Roof, or would allow us any thing for our Horses and Mules. Colo Andersons is 36 Miles from Cap^t Craggs, which, I left by Day light, takeing the road Through Powells Valle. at this place I parted with Mr Wills who took the road for Cumberland Which fork.d at this place. the road being Bad and the weather uncommonly Cold, I found it was with hard Traveling that we reach.d the foot of Wallons ridge that Night. from Andersons, to Benedict Yancy's is 34 Miles and an uncommon Mount^d road. Fifteen Miles from the Block Hous is Clync mountain and the river of the same name. I the same Day pass.d a number of Mountains and ridges, the most considerable of which are Copper Creek Powells and Wallons, as also several large Creeks and Powells River. Mr Yancys is the enterence into Powells Valley. a Wagon road has lately been Open.d into, and Down the Valley, and Notwithstanding great panes and Expence, the passage is so bad that at maney of the mountains the waggoners are oblig.d to lock all the wheels and make fast a Trunk of Tree Forty feet long to the back of the waggon to prevent it from Pressing on the Horses. in this manner many waggons have pass.d on to Kentuckey. It was late in the Evening of the 13th that I arriv.d at the Hous of this Mr Yancys, and the badness of the weather, had made Me Determin, not to go any Further, being then 8 OClock and snowing fast, however I found it was not so Easy a matter to bring the old Man and Woman to think as I did; For when I demand.d or rather request.d leave to stay, they absolutely refus.d me, saying, that we could go to a Hous six miles Down the Val-

ley. Finding moderate words would not answer I plainly told Mr Yancy that I should not go any further, and that stay I would. Old Mrs Yancy had much to say about the liberties some Men take, and I replied by observing the Humanity of Others, and so end.d our dispute. our Horse was strip.d and some Corn and Fodder obtain.d. we soon Found ways and means to make the rough ways smooth, and taking out our Provision Bag made a good supper, after which placing our Blanketts on the Floor with our feet to the fire I sleep.d well. The 14 we start.d from Mr Yancys and the Day being bad with snow and rain, we stop.d at a Mr Ewings five miles Below Lee Court Hous and Ten from Mr Yancys. at Mr Ewing we reced the 'welcome' of Mr and Mrs Ewing at whos Hous we staid, untill the morning of the 15, when after being furnish.d with Every thing we wanted and a Good Piece of Beef to take with us, we took leave of Mr and Mrs Ewing and family and that Night about Sun down Arriv.d at Cumberland Mountain. about $\frac{1}{2}$ a Mile before you pass this mountain you come into the road from Hawkins Courtt Hous and Knox Vill, which is said to be the Best road. after passing the Mountain which we did this Night, we stop.d a[t] Mrs. Davis's who keeps Tavern Down the mountain, and met with very good accomedations. Powells Vally has lately been made a County by the name of Lee, takeing all the Country from Washington County to the Kentucky line. The Court Hous is About Thirty miles up the Vally from the pass of Cumberland mountain at which place is a Small Town of Six or Ten Houses and Two Stores. Powells Vally is, I am inform.d about six miles Broad and 60 in length. its good land but so Inclose.d with Mount^{ns} that it will be always Difficult to Enter with waggons. When the Vally becomes well improv.d it will be an Agreeable place but at this time its thinly settled and Small farms. On the 16th by Day light our Horses being ready we took our leave of Mrs Davis, who I must take the liberty to say may be Justly call Capⁿ Molly of Cumberland Mountain, for she Fully Commands this passage to the New World. She soon took the freedom to tell me she was a Come by chance her mother she knew little of and her Father less. as to herself she said pleasure was the onely thing she had in View; and that She had her Ideas of life and its injoyments &c &c. a Mr Hay from Knox Ville Joined us this Day. the weather still continued Cold and the road which had been much broak up was now hard frozen. however we arrived by Dark at Ballingers Tavern 37 miles from Cumberland Mountⁿ. at this place I meet with a number of Gentl^{ms} from Kentucky and a Doc^t Rosse from the Illinois with whome I had much conversation respecting that Country. our Horses suffer.d this Night being Oblig.d to make them fast to a Tree and feed them on Cane, but the Accomedations for ourselves was good Considering the Newness of the place. the 17 leaving Ballingers we Travel.d that Day over an unpleasant road passing several large waters and Cumberland River. we came at Night to a small Hutt on Little Rock Castle 30 miles from Richland or Ballingers. at this Place our Accomedations was abominable bad. the hous was about 12 feet square and the Night

which was distressingly Cold oblig.d all that was stop.d at the Place to take shelter in the Hutt, in all women and Children includ.d 17 in Number,—nor can a more filthy place be imagin.d. this Night our Horses Suffer.d much. a few Oats was all that the place afford.d. after takeing a supper from our Provision Bagg we took some rest on our Blanketts and at Day light, started on our Journey and in the Evening arriv.d at the Crab Orchard¹ and took up our quarters at a Mr Davis, 23 Miles from Rock Castle, making in all 90 miles from Cumberland Mountain to the Crab Orchard.

The Crab Orchard, has long been a place of Note and it being the grand Gateway into Kentucky I expected to have found a Hous of Entertainment at which a Traveller could have recruited himself, but I was disappointed. the accomedations at Davis's is bad and nothing agreeable in or about the place. The Country from Cumberland Mountain to Langfords which is Ten Miles before you come to the Crab Orchard, and which is know[n] by the Wilderness,² is a Disagreeable broken Mountⁿ Country but some good lands, and will be in time Sufficiently settled to furnish Travellers, but can Never be a desireable Country. Its now settled with 18 families, who are but a remove from Indians in their manners or moreals. Much Work with many Bridges may make a good road, but its not to be expected for many years altho the road has been lately opend for waggons and much work don on it much more must be don to make it Tolerable. on the 16 between Cumberland Mountⁿ and Ball-langers I pass.d Cap^t Sparks with a Company of United States Troops from Fort Detroit on his way to Knox Ville About 100 in all. the Troops made a good apperence, was well Cloth.d. and good-looking men. I cannot omitt Noticeing the many Distress.d families I pass.d in the Wilderness nor can any thing be more distressing to a man of feeling than to see woman and Children in the Month of Decemb^r Travelling a Wilderness Through Ice and Snow passing large rivers and Creeks with out Shoe or Stocking, and barely as maney raggs as covers their Nakedness, with out money or provisions except what the Wilderness affords, the Situation of such can better be Imagined then discribed. to say they are poor is but faintly express'g there Situation,³—life *What is it, Or What can it give*, to make Compensation for such accumulated Misery. Ask these Pilgrims what they expect when they git to Kentuckey the Answer is Land. have you any. No, but I expect I can git it. have you any thing to pay for land, No. did you Ever see the Country. No but Every Body says its good land. can any thing be more Absurd than the Conduct of man, here is hundreds Travelling hundreds of Miles, they Know not for what Nor Whither, except its to Kentucky, passing land almost as

¹Roosevelt, *Winning of the West*, I. 311 and note. The account to which reference is made follows the MS. autobiography of Rev. William Hickman in the library of Colonel Reuben T. Durrett, of Louisville, Ky.

²Austin was travelling by the "Wilderness Road," *Winning of the West*, I. 313-314, and note I, p. 314. The road is shown on the map at the end of Vol. I.

³Cf. *Winning of the West*, I. 314-316.

good and easy obtain.d, the Proprietors of which would gladly give on any terms, but it will not do its not Kentuckey its not the Promis.d land its not the goodly inheratence the Land of Milk and Honey. and when arriv.d at this Heaven in Idea what do they find? a goodly land I will allow but to them forbidden Land. exhausted and worn down with distress and disappointment they are at last Oblig.d to become hewers of wood and Drawers of water.

19 I arrived in companey with Mr James Campbell at Mr C. Campbells 12 Miles from the Crab Orchard who reced us Kindly, and at whose Hous I staid untill the 20th the Weather beeing so Cold as to render it almost impossible to Travel. Mr Hay part [ed] with me this Day taking the road for Lexington and Jos. Bell went to a little Town Call.d Stanford.

21 I took leave of Mr C. Campbell and famely to whome I am much indebted for there politeness and about Twelve arriv.d at the Town of Stanford where I meet with a Number of the former inhabitants of New River and that Night stay.d with a Mr Nathⁿ Forbus. The Town of Stanford is the County Town of Lincorn and it beeing Court Day I had an opportunity of seeing a Number of Gentl^m and Isaac Shelby late Gov^r to whome I had letters. little can be said in favour of the Town of Stanford. it Contins about 20 Hous of Loggs excep a Brick and Stone Hous, has Three small Stores a Tan Yard and Four Taverns. the Land in and about the Town is good and some large improvements.

22. I arriv.d about 12 O Clock at the seet of Isaac Shelby, Esq^r with whome I dined and from whome I reciv.d letters to M^r Argotee at Frankford and that night reach.d the Town of Danvill. Gov^r Shelby has a large and well improv.d farm a plain but neet Stone Hous and is said to be a man of Great Welth. the Town of Danvill is 12 Miles from Stanford but 20 the way I went. I stay.d at a Mr Smyths Tavern and on the Morning I left Danvill for Harrodsburg, 13 Miles from Danvill at which place I arriv.d on the same Day at 12 OClock. Danvill is a well laid out place and the streets are Broad crossing each Other at right angles Situated on a level spot of ground, but badly Built Contaning about 36 Houses the most of which are loggs. the lands Near Danvill are good and when well improv.d will be an agreeable Country. I found the 23[d] so Cold that I Concluded to stay the remander of the Day a[t] Harrodsburg and on the 24. leaveing Harrodsburg I arriv.d at Frankford that Evening being 31 Miles. Harrodsburg is a small place said to be the oldest place in the State is Elevated something above the surrounding Country and there beeing a large quantity of Land Clear.d appeard more pleasant then any place I see in the State. the Houses are about 20 in Number and Mostly of Stone. the Court Hous is of Stone and a good building.¹ Harrodsburg is the County Town of Murcer. the Country from Danvill to Frankford is level but Not good Land as I expected. Frankford is the Seet of Government and is Situated on the Kentuckey River which at this place is about 160 Yards over. the Town stands on a flat spott of ground and has

¹Cf. *Winning of the West*, I. 311, following Hickman's autobiography.

some good Buildings. the State Hous is a good Convenient Hous but not Elegant the Other Publick Buildings are not worth Notice. the Town Contains about 60 Houses in all Eight of which are Brick and Stone. Whicker keeps the best Tavern and the accomedations are good.

The situation of Frankford cannot be call.d pleaseing it beeing incircled with high nob's and Hills at Every point. its the County Town of Frankling. Mr. Argotee beeing from home I had to wate his return and on the 27 I finish.d my business with him takeing letters to Monsieur Zeno Trudeau Commandant of St. Louis in the province of Louisiana. passing the Kentucky river on the lce I took the road for Louis Ville at which place I arriv.d on the Evening of the 28. the Night of the 27 I lodg.d at a small Town called Shelby which place I shall always remember, from the uncommon behavior of the LandLady Mrs. C——. the Town of Shelby is small and like all the Towns in Kentuckey badly built. about 20 Houses and Two Stores. the Land from Shelby to the Ohio is not of the Best nor is the Country as well Settled as I expect.d. in short it may be call.d a Wilderness. From Frankford to the Town of LouisVille is 52 Mile and the Country uncommonly level. The Ohio is a Noble River and its almost impossible to bring yourself to beleave You are so far from the *Atlantic*. Louis Ville is the County Town of Jefferson is situated immediately on Banks of the Ohio. the situation is beautiful and I think this place may in time be of Consequence altho its now an inconsiderable V[i]llage. Louis Ville has about 30 Houses but there is not an Elegant Hous in the place. the Court Hous is of Stone and built with some Taste. at this place I see a Number of Indians from the Nations over the Ohio, Piankishas Delawares and Wyatenas. Notwithstanding Louis Ville is the landing place of all Boats that Come Down the Ohio and Bound to any place below the Falls in consequence of which there is a great resort of Company yit there is Not a Tavern in the place that deserves a better name than that of Grog Shop. Louis Ville by nature is beautifull but the handy work of Man has insted of improving destroy.d the works of Nature and made it a detestable place.¹

29 I pass.d the Ohio this Day, below the Falls which are about Two Miles in lighth but not bad. The Ohio beeing frozen I could have pass.d on the Ice but there beeing an opening about half a Crost the river at the Common pass way I made half my passag on the Ice and the remander in a Boat and that Night put up at Clerks Ville on the N West Side of the river ready to take the Wilderness the Next Morning.

Clerks Ville² is a poor place hardly Deserving Notice consisting of Six Cabbins and One Logg Hous with a Stone chimney. its 3 Miles from Louis Ville. up the Ohio from Clerks Ville is a small Fort Command.d by Lieu^t Webster with 45 or 50 men.

30th at Day light I made myself ready to take the Trace to Post St. Vincennes, but unfortunate for me a Very heavy snow fell in the night

¹ Cf. *Winning of the West*, II. 39-40, note, summarized from "Papers relating to Louisville, Ky.," in the Durrett MSS.; and III. 16.

² For Clarksville, see this REVIEW, II. 691.—ED.

which had so obscured the Trace that not a foot Step could be seen. thus Situated I was at a stand, but beeing informed that the Trees had been mark.d, by keeping of which I could finde the way, with this information I left the Ohio and that Evening arriv.d safe at Blue river 30 Miles from Clerks Ville on the banks of which I found an Indian Camp of Wyandots fifteen in Number with an Old Cheef. I Staid the Night and was Treat.d with great Politeness and friendship. the Cheef ordered a Squah to Dress my supper, which she did in a short time nor do I remember to have ever eaten a better Dish of Veneson and *Bare Stake*. at Day light he ordered his Squah to do the same, and after takeing my Brakefast I took leave of the friendly Wyandots presenting to the Two Squahs that had attend me each a String of Beeds.

31th I arriv.d at Night at a Camp said to be 36 Miles from Blue river which had been made use of the Night before by a Company of men which I pass.d in the Day from St Vincennes bound to Kentuckey. this Day I come up and meet with a number of Hunting Indians all of which were friendly. the Snow beeing deep and the weather Cold I did not sleep so well as I could have wished and by times I started on my road determined that Night to reach Vincennes but after a hard Days ride I late at Night arriv.d at Mr Harvis 5 miles from Vincennes where I found good quarters.

The Country from the Ohio to Vincennes is in general good and will afford Valuable settlement and is Well water.d. the Onely River at which a Traveller is subject to meet with Delay or difficulty in passing, is Blue river which in the spring is commonly high. At White River there is a good Boat at which you may pass at any time or on the Ice which was the way I pass.d all the waters from the Ohio to Vincennes. the severety of the winter had mad[e] all the rivers passable on the Ice. White River is a delightfull River and navigable for Boats Most parts of the Year 150 mills up. its about 260 Yards wide where I pass.d it and I was told the Currint is moderate and the Navegation as easy as any River in the Western World. this River may be Forded in summer At the Delaware Village about a Mile and half above the road but its attended with great Danger the whole of the River from side to side beeing a quick sand, and I was told by a Number of Gentl.^{en} that sundry Horses was lost last Summer in attempting the forde by those unacquainted with It. the Indian Village Just mention.d I was inform.d contained about 20 famelies which have return.d to it with in the last Year after an absence of Ten Years.

1st January, 1797 on Monday I arriv.d at the Town of St Vincennes which I found to be much larger then I had an Idea of, the situation is quite Charming nor can fancy paint a more desirable Spot.

From Harvies to Vincennes five Miles is an Open Champaign Country and Extremely fertile interspersed with Island of Trees and plains or prairies quite to the banks of the Wabash. Two Miles from the Town are Two Mounts which over look the Country for some Miles as also the Town and river. these Mounts arrise in the middle of a large plain

and are said to be Indian burial Grounds. however I cannot suppose this to be True unless the World has been in being much longer than some pretend to say and the distruction of the Human famely greater than we have any Account of in this part of the world. however I was told by a Gentl^{le} in Vincennes that he had taken Human bones from Out of the mounts and that he discover.d many more in the Ground. I suppose each of the mounts to be at least half a mile in Circumference and from the common level of the plain to the summit, 60 feet. they are now well sett with grass and have every appearance of the works of nature and not of art. Vincennes may Contain 200 Houses in all but they are small and generally One story and badly finished. the Streets are Narrow and Verry irregular. at this time not more then $\frac{3}{4}$ of the Houses are inhabited.¹ the inhabittance since the Treaty Made by General *Wayn*² are gon onto there farms. this place is said to have been settled in or a bout the Year 1726³ and has undergone many Changes since that time but was always a place of Considerable Tread and wealth untill General Clark took possession of it in the Year 1778 for the United States, from which time untill within the last 18 month it has been on the decline.⁴ Vincennes is settled with French from the Towns on the Missisipi and Canada and after the Town came into the hand of the United States many of the Most respectable and Wealthy famelies left the place and Either went to Detroit or the Spanish side of the Missisipi,⁵ but the Natural advantage of the place and the beauty of the Country will if the Indians are peaceable soon make Vincennes a place of Consequence. the Garrison at this place is Command.d by Cap^t *Parsters*.⁶ it Consists of 50 men. the fort or Citadel Commands the Town and River Wabash, in which is four six pounders. the Wabash may be number.d among the beauties of Nature. its about 350 Yards wide at the Town. the banks are not high and the prairies on each side extend as far as the Eey can Command Forming a Landscape when viewed from the *Mounts* back of the Town equal to any thing of the Kinde I Ever have seen. The God of this Comely land has been lavish in finishing his Work, for notwithstanding that the Sovereign hand of Winter had extended its Terrific Influence over all the face of Creation Yit inexpressable charmes could be discover.d which the severity of Winter could not change. The Navigation from the Ohio to Vincennes is said to be 130 Miles safe and easey, upwards from Vincennes 150 miles for Canoes, and the waters of the river in the Spring may be

¹ Cf. *Winning of the West*, I. 34, following State Department MSS., No. 150, Vol. III., p. 89.

² The Treaty of Greenville. See *American State Papers*, V. 562-563.

³ Rev. Edmond J. P. Schmitt says in the letter quoted in note 3 on page 530: "The town was founded in 1727."

⁴ *Winning of the West*, I. 35-36, note 2, relative to the memorial of François Carboneaux, State Department MSS., No. 30, p. 453; and to the letter of Lieutenant-Governor Hamilton, Haldimand MSS. (in the Canadian archives at Ottawa), Series B, Vol. 123, p. 53.

⁵ Cf. *Winning of the West*, II. 176; III. 47, 49, 241.

⁶ Probably Captain Thomas Pasteur.—E.D.

Navigated within a few miles of the Miami. the lands on this River are said to be equal to any in the World forming large and extensive plains and groves of Timber and must at some time not long distant forme a settlement equal to any in the United States. the West bank of the Wabash is said to overflow every spring, but the East bank on which the Town stands is something higher and is not subject to overflow.

The Aborigines which are settled on the Wabash, near Vincennes, Are much reduced and some nations intirely extinct. the *Piankishas* had a Town within One Mile of St Vincennes but its now destroyd and there Number reduced to about 120 men. they have not any Town or fix.d place of residence but wander about from place to place always calling Vincinnces ther Home. the Wyatonas¹ are said to be 150 men and are settled up the Wabash 200 miles from Vincennces. the Shakis² I could git no information about nor is there such a Nation Now Known. If any of them are in beeing they are united With some other Nation.

I was directed to go to Colo *Smalls* for quarters, to which Place I whent and found good accomedations. the Colo and his Lady was from home on a party of pleasure and beeing informed of a Mr Henry who was in Town on his way to the Illinois, I got a Gentle^m to direct me where he could be found, and Calling at the Hous of Mon^r Dubois, I found Mr Henry at Table with a Number of French Gentle^m. I was unfortunate in not having letters to any Gent^m in Vincennes however the imbarisment I felt on this Account was soon remov.d by the Politeness of Mon^r Dubois who without ceremoney took me to the Table and placed me beside the *Roman* Priest. at Mon^r Dubois, I met with a Number of Americans and Notwithstanding I was a stranger to all Yet I found Myself very agreeable situated. after spending an agreeable afternoon, I return.d to Colo Smalls, and that Evening went to a Ball, where I was Introduced to several Gentle^m. Maj^r Vanderburg a man of some note requested Mr Henry and myself to take Brakfast with him which we did the Next morning. I receivd much Politeness from Colo Small, Doc^t Tisdale, and Mon^r Dubois, to all of whome I am much indebted as well as maj^r Vanderburg. Colo Smalls Keeps the onely Tavern in Vincennes at which good accomedations can be had. There is a Catholic Church at Vincennes, but the building is not of sufficient note to be Known by Strangers unless informed, but to whome this Church is Dedicated I did not learn.³

¹Weas or Ouïatanons. *American State Papers*, V. 130.

²Sacs.

³"Flaget [afterward, in 1808, appointed first bishop of Bardstown, to which diocese Indiana then belonged] kam am 21. December 1792 nach Vincennes. Hier fand er die Kirche, eine baufällige Blockhütte, in einem gänzlich vernachlässigten Zustande. Er begab sich alsbald an die Arbeit der Wiederherstellung derselben und bereitete besonders den aus Brettern nothdürftig zusammengefügtten Altar zur würdigen Feier des Weihnachtsfestes vor, in so weit es seine eigenen dürftigen Mittel ihm gestatteten, denselben herzustellen." *Geschichte der Deutschen St. Marien Gemeinde von New Albany, Indiana*, by Rev. Edmond J. P. Schmitt. This was the church mentioned by Austin. In a letter to the writer Father Schmitt adds: "The church was dedicated to St. Francis Xavier. The pastor at the time Austin passed through, was Rev. John Francis Rivet. The records of the church reach back to 1749."

The 3 and 4 of Jan^r I remain.d at Vincennies in which time I was made acquainted with Cap^t Parsters and famely from whome I recei.d many civilities. on the 2th a very heavy snow fell which made the road not onely disagreeable but dangerous, however Mr Henry as well as myself came to a resolution, to undertake the Journey, in Opisition to the advice of the good People of Vincennes, who said such a Journey with such a Debth of snow and such severe weather, had not been undertaken by any man, that the Open Country we had to pass was such as to render it Impossible to Keep the road with so large a body of Snow on the Ground. Notwithstanding all that was said, I was fully determin.d to go forward nor Could I think of returning with out Executing the plan I had in Vew. after giting a French man who said he could conduct us safe and providing ourselves with such things as we thought we should want, on the morning of the 5 Jan^r we left Vincennes in the following Order—Mon^r Basidon our guide in front, Jos. Bell and a Pack.d mule form.d the Center, and M^r Henry and myself Brought up the rear. The appearence of Mon^r Basidon was some what singular which I shall take the liberty to discribe. he was mounted on a small Hors, his saddle was of the French make with a Horn before and behinde. his bridle was made of a Buffalo Cord. under his saddle he had Two Blanketts which almost covered the Body of the Hors. at the fore part of the saddle was an Old Pistol a long scalping Knife and a Tin cup, at the back Horn of the saddle a large Tin Kittle and Bell with a small Bagg of Provisions and on the saddle a Bagg of Corn. Basidon I suppose to be four feet six Inches. his Dress was a short Blue Jack Coat, Coating over Halls, and mockisons over which he had a Blankett Cappa with an Indian Blankett made fast round his wast, with a Buffalo String, Indian like. on his head was a red flannel Cap over which he had a Friars Bonnet made of Brown Coating at the Top of which was a \times extending about 3 Inch above the Bonnet like a Weather Cock. round his neck was a Buffalo String to which was made fast a p^r of mitts made of Buffalo hide and to finish the Dress he had on his feet a p^r Buffalo Socks which came half up to his Knees. Thus Equip.d and thus arrang.d Our Cavalcade Moved forward and passing the Wabash on the Ice we arriv.d at and pass.d the River Ambro¹ that Night Where we took up Camp.

The Ambro is about 100 Yards over is fordable at all times in the Year except in the Spring when the back water from the Wabash renders it impassible some times for many weeks. this River at the place we cross.d it is six miles from Vincennes. It forms a Junction with the Wabash some few Miles below the Town. its Not Navigable but would be so for many Miles If the loggs was removd.

The great Debth of snow made some Trouble in fixing our Camp. however after removeing the Snow and makeing a large fire, I found notwithstanding the Severety of the Night I rested well. on the 6th by Day-light we made ready to take the road and that Night came to and pass.d

¹ Embarras.

Fox Creek, this Night was pinching Cold and as we advanced to the N West the Snow became deeper. we Keep.d good fires and as we had a plenty of provisions we thought it well to improve our time in eating as well as Travelling nor did I finde our situation so disagreeable as I expected. the 7 at Night we pass.d the little Wabash and took up Camp about Ten miles over the river. the little Wabash may be 90 Yards wide. its a Bad River to pass in the Spring has high Banks and Strong Currint and occatisions¹ great Delay to passengers. its not Navegable except at high water and then Not over Hundred Miles. Where the Road passes it, Its said to be 60 Miles from Vincennes. —the 8th we still continued our Journey and this Day at Twelve O Clock Mon^r Basidon said we was half way to Kaskaskia, but here our good luck left us. the Day was Windey and in passing a plain of 30 Miles we lost the road. the Snow was so Drift.d, It was impossible to finde it. however we continued forwards expecting we Should regain it when we came to the wood on the Other side plain. here we was also disappointed for after some time Spent in looking for the road we was Oblig.d to give it up and take up for the Night. the 9th a Counsel was held as to our situation and it was agreed that as Mon^r Basidon was Confident he could finde the way to Kaskaskia without the road that we Should go forward, but some dispute arose as to the point of Compas we should take, I was for S West, Basidon for N West, but as it was supposed *Basidon* was the best Judge, he was allow.d to govern. we had other Troubles which now became distressing. our provisions which we suppos.d would have taken us to Kaskaskia was expended on the 8th nor had we a Gun in Companey, So that all hopes of a Supply was cut of. however we continued to push forward from Daylight untill Dark, with some hopes we should finde the road. on the morning of the 11 we came to a large river which mon^r Basidon said was the Kaskaskia. we pass.d this River on the Ice as we had don all the other Rivers and altering our direction to W S West, we continued on untill 13th, Not Yet comeing to Either a road or Settlement, and nothing to live on. Our Situation became Truly distressing. this night Prov.d more disagreeable than any we had experienced. the weather continued Cold and the Snow Near 3 feet deep. about Sun Down it began to rain freezing as it fell. about 12 O Clock it turned to snow, and by Morning we found the snow such a Debth that it was almost impossible to move. our Horses which suffer.d as much as ourselves was also doubley distress.d. the bushes was frost.d in such a manner that they could git nothing. our situation was unpleasent. however, I was confident that by steering West we must strike the Mississipi—but when, was the question. The Frenchman on whome we most depended sadly lamented his situation and Jos. Bell was much distress.d. I did not like the state of things. however I did not think our state so Deplorable. we had Horses on which we could live, If Nothing better could be don. I was determin.d first to make use of the Mule, but this was a Step I did not think would be Necessary for

¹Occasions.

I thought we should that Day either make the settlement or the Missisipi and the reason I thought so, was that the Country which had been from the Wabash to Within about Ten miles a Continuation of prairies and lofty groves of Timber became broken and Barren forming small ridges. the Creeks also ran West all of which caus.d me to think that the Missisipi was at hand. Nor was I disappointed for we did not Travel a Mile before we came in Sight of a small Village. None but those who have been in a similar Condition can have an Idea of our feelings. had the Everlasting Trumpet Sounded our Eternal happiness I do not think It would have been more Agreeable.¹

This place prov.d to be Whitesides Station fourteen Miles from the Missisipi and Sixty from the Town of *Kaskaskia* so that we must have first Cross.d the *Kaskaskia* river 150 miles from the Town or road as we had been Travelling down that River 4 Day when we Arriv.d at Whitesides Station. had mon^r Basidon Taken a W. S. West Course, insted of W N West We should its most likely have made the Town of *Kaskaskia* five Days sooner than we made Whitesides Station.

Notwithstanding the Unpleasent Situation I was in, I could not but be charmed with the Country I had pass.d. such Extensive plains, such Beautifull Groves of Timber, so Charming and Dilightfully Diversifid, are not to be found, perhaps in the Known World. the Onely Rivers between the Wabash and *Kaskaskia* is those before mention.d, but a great number of Creeks. the distence from Vincennes to the Missisipi is said to be 180 Miles and the best land.d Country I have seen. At Whiteside Station We was soon furnished with all We wanted for ourselves and Horses. I found Mr. Whitesides to be in possion of some information respecting the Country which he gave me freely. he also informed me that he had Sundry letters from a M^r Evens 2500 Miles up the *Missouri* from which I took the following Extract

Missouri Fort Charles²
Maha³ Nation Jan^r 15 1795

S^r I arriv.d at this Nation 11th of Nov^r 1794 and Agreeable to promes will give you an acc^t of this Country so fare as its in my Power.

From this Place to St Louis as the River Meanders is supposed to be 2500 Miles the Land on the River for 20 Miles back is Level and fine formeing large plains or Natural Meadows. the Messouri Makes the most Unaccountable windings and Twistings ever seen takeing Turns of 20 Miles and then returning with in a Bow shott to the same place forming Islands and Landscape more beautifull then can be discribed. I shall now give you a Short account of the Natives of this Country. there General Character is Niether the best nor worst in the world. the *Mahas* as well as all the Nations I have Seen are fare Superiour to the Indians East

¹Clark's army was lost during the march against *Kaskaskia*, in 1778, in the same country, though somewhat further south.

²Coues, *History of the Lewis and Clark Expedition*, I. 74.

³Omaha.

of the Missisipi in these several points, say Mildness of temper attachment to the White people, tending towards Civilisation and Integrity. This Nation is Governed by a King in his Government absolute. he is belov.d by his people as well as all the Nations Near him and as much fear.d. they make it a matter of Life Not to see any of white people Injured or hurt. the King wishes for information and discovers a Great taste for music and painting, in Short his Character is such and that of the Nation that I am ashamd of the White people when I reflect on the superior qualities of many of these people in a State of Nature to the *Whites* who enjoy all advantages. the King is a Man upwards of six feet and well made. his manners are polite and easy Commands Great respect, he has fix.d Laws, which are pointedly Obay.d

There is several Volcano,s on this River Three of which are out and two now burning¹ of which I shall give you a full acc^t at some other time, as also the Quaking land through which a River runs and is Constantly Boiling up Sand. I have also seen a small Girl Taken from the White or Welch Indians but she is so small that I can learn Nothing from her. however I doubt not but I shall make out to finde the Nation If I can be allow.d to go on. I have been 160 Miles higher up then this place but was Drove back by A Nation at war with the *Mahas*. The Missouri is nearly as broad at this place as at the Mouth and the Current as Strong.

From this letter it appears that Mr Evens If he returns will be able to give a sattisfactory account of the Missouri and make some discoveries important to society and advantagos to himself.

I left Whitesides on [the] 14th and arrived at Kahokia in the Evening passing a Small Village between Whitesides and Kahokia Call.d Prairie du Pont of about 40 Houses but If I was to Judge of the people by the Houses I should take them to be very Poor. You enter what is called the Missisipi Bottom some miles before you come to the Village of Prairie du Pont. Kahokia is situated with in a Mile and half of the Missisipi on a beautifull plain which Extends for many Miles back of the Town. it has been a place of wealth and did When under the English Government Command an Extensive Indian Trade. Its not the case now. since the Americans have held the Country it has been shamefully Neglected, and many of the best families have Cross.d the Missisipi and with them the Indian Trade. Kahokia Covers a large space of ground but is badly built and the Houses out of Repair. the Church which is a Frame building and not large is dedicated to the Holy Famely. there is not a building in the Place that can be call.d Elegant. there may be about 200 Houses in all, but not more then half of the[m] Inhabited. there is little or no Trade and the people are poor.

The Morning of the 15th Mr Henry and myself Cross.d the Missisipi on the Ice to St Louis and beeing told there was not any Tavern In the Town I left Jos Bell and the Mule at Kahokia nor was It with out great

¹Cf. *History of the Lewis and Clark Expedition*, I. 84.

Trouble that I procured quarters for myself and I beleave I should have been oblig.d to have returned to Kahokia the same Day had I not meet with a man by the name of Drake who spoke English and went with me to a Mon^r L^e Compt, who politely Took M^r Henry and Myself into Hous. after changing our Dress we immediately paid our Respects to the Commandant Mon^r Zeno Trudeau to whome we had letters. the Commandant received us with much politeness and promised us all the assistance the Nature of our business Demanded. I had letters to a Merch^t Mon^r Charles Gratiot from whome I rec^d much attention. Mon^r Gratiot spoke English well and was of great advantage to me as I could not speek French. St Louis is Prettily Situated, on a rising spot of ground, and has a commanding prospect of the Missisipi, for some distance up and Down the River, and also the American Side. the Town of St Louis is better built then any Town on the Missisipi, and has a Number of wealthey Merch^t and an Extensive Trade, from the Missouri Illinois and upper parts of the Missisipi. its fast improving and will soon be a large place; the Town at this time Contains about 200 Houses, most of which are of Stone, and some of them large but not Elegant. The Exports of St Louis is supposed to amount to 20,000 pounds p^r annum. the Trade of this place must increase beeing with in 15 Miles of the Messouri and Thirty of the Illinois Rivers. the large Settlements makeing on the Missouri by the Americans will be of great advantage to St Louis the Wealth of which is so much greater then any Other Town on the Missisipi that it will take a long time to change the Trade even from the American side to any other place, and the great advantages held out by the Government of Spain will soon make the Settlements on the Missouri Formidable. Land have already been granted to 1000 Famelies Near four Hundred of which have arriv.d from different parts of the United States. Back of St. Louis is a small Fort Mounting four four pounders. its not of much strength, has a guard of Twenty men onely. the Church is a Frame building and make but an indifferent apperence has neither Steeple or Bell.

The Aborigines which Trade to St Louis are the *Kikapoos* Piankishas Piorias Sioux Shawanees (west of the Missisipe) and Osages on the Missouri. There is none of the above Indians that confine there Trade to St Louis Except the Osages. but St Louis gets the best part of all as well as many other Nations both on the Missisipi and Missouri which seldom or ever Visit the Town of St Louis, but have goods taken to them by Traders, imploy.d by the Merch^t of St Louis, who make there returns in the Months of April and May. The Lands on the West side of the Missisipe are Not equal to those on the American side Excep on the Rivers Missouri which enters the Missisipe 15 Miles above St Louis and the *MaraMag*,¹ 10th Miles below, and the *Saline* Six Miles below St Genevieve and sixty below St Louis. the River Maramag is navigable for Batteaux 30 Miles at all times in the Year and in the Spring much higher its about a 100 yards wide at its mouth and Keeps Nearly Its width untill its

¹ Meramec.

forks after which it looses its name and make what is called the Grand River and the Mine Fork. between the Mine Fork and Grand River is the Lead Mines known by the Name of the Mines of Briton which without Doubt are Richer then any in the Known World. these Mines are about 40 Miles from St Louis and 30 from St *Genevieve* and fifteen from the Navigation of the Maramag. on the Maramack is several Salt springs from which some salt is made. but the Saline will its most likely furnish this Country with salt, there being a great Number of Salt springs on its Banks, from which much Salt is now made and when the Works are Extended may furnish all the Upper Settlements on the Missisipi.

16th I waited on the Commandant and receiv.d letters from him to the Commandnt of St *Genevieve*. leaving St Louis I recross.d the Missisipi to Kahokia and on the 18 Arriv.d at the Town of Kaskaskia. From Kahokia to Kaskaskia is about 50 Miles and the best Body of Land in the world. the Bottom which Extends from Kahokia to the Mouth of the Kaskaskia is in Common five Miles in width and Except immediately on the Bank of the River and $\frac{1}{4}$ of a Mile out, is in order for any kinde of Farming use, being a Natural Meadow the Whole Way. between the Town of Kahokia and Kaskaskia you Pass the Village of *Prairie Du Rocher* which has about 60 Houses as also the *Little Village* which I am Told when under the English had 50 families and a good Church, but at this time there is but 3 families in the Town and the Church is destroy.d. the Church at *Prairie Du Rocher* is a frame Hous and not large. its much out of repare has a small Bell is Dedicated to St Joseph. about Thirty Miles from Kahokia Stands Fort Charter. Its a noble worke and the manner in which its Neglected proves how much this Country has been and still is neglected by Government. Fort Charter when built I am told was a Mile from the Missisipe, but the river has so chang.d its Channel that It has demolish.d the West side of the Fort intirely, and Its fell into the River. Each Angle of the Fort is 140 paces or steps. Its built of stone taken from the Missisipi Cliff, and where the Walls are unhurt, they are about 20 feet high. but the South Walls is much Injure.d, the East and North are more Perfect, the Ditch which surrounds the Fort is almost fill.d up. the Gate was Finish.d with hew.d Stone, but its much defaced. with in the Walls of the Fort is a range of stone Barracks, with in which is the Parade. at the South East Corner of the fort stands the magazine, which is also of stone and not in the least injure.d. The Arch appears to be as good as when finish.d. at the south west Corner stands the Guard Hous, a part of which is fallen with the West wall into the Missisipi, between the Guard Hous and the West range of Barrack, is a Deep well walled up with hew.d Stone and is as good as when made. the wood work of the Barracks is destroy.d Im told by fire. the last English Garrison had orders to demolish the Fort, and Turned There Cannon Against the Walls For some Days, however the peices were not sufficiently large to Effect the destruction, but the walls are much Injure.d. the French from the Spanish side of the Missisipe have Pillage.d the Windows and Doors of the Bar-

racks of many of the best hew'd Stone, and taken them up to St Louis for private use. Fort Charter is said to be the best Work of the kinde in America. Its not easy to account why this Country has been Neglected by the Government of the United States, and when its considered that Its not onely a Frontier as to the Indians, but also as to Spain who are takeing Every step to make there Country Formidable in case of an attack, It is not unreasonable to suppose that the Executive of the United States, have not a Just Idia of the Importance of the Missisipe Country, or the Trade they are Daily looseing, and which will soon be so fix'd on the Spanish Shore as to be harde to with Draw. Some of the Standing Laws of Congress as they respect the Illinois Country are distressing and unjust in there Operation. the Law which make the Property of all the People forfeited to the United States who have left the Government of said States and do Not return with in five Years, is Cruel and severely unjust¹. It ought to be remember'd that in 1778 Genl Clark took the Illinois and left a Small Garrison at Kaskaskia onely,² who instead of protecting the People Pillage'd them at Will and when that Garrison was with Drawn which I beleave was in the Year 82 the whole settlement was unprotected and Notwithstanding Garrisons have been Established from Georgia North for the protection of much smaller settlements, Yet the Illinois have not recev'd the least assistance from Government from the Time of Clark untill the present Moment, Which Oblig'd many families to take Shelter under the Spanish Government, and because they did Not return and stand the scalping Knife they are to loos their property, for its to be Know[n] that all the Towns on the Missisipe have been at the mercy of the Indians untill the Treaty made by Genl Wayn. that Government Should take away the property of a people they could not or would not Protect is something new more Especially a Government like Ours.

Kaskaskia which is a place of the most Consequence of any on the American Side of the Missisipe and the County Town of Randolph, is Situated in about 38° 48 N. and Long 16° W. from Philad^a on the Banks of the River Kaskaskia Two Miles from the Missisipe and five from the Mouth of the *Kaskaskia* in a level Champagne Country and is overlooked by a Hill on the opposite side of the Kaskaskia River which commands an Extensive prospect, as well of the Country below as of the Missisipe, and the Spanish Villages of St. Genevieve and New Bourbon, formeing all together a Landscape beautifull and pleasing.³

It is suppos'd to have been settled much about the same time as Philad^a or at lest about a Century ago, the oldest Records in the office which is dated in the Year 1722 beeing marked with the Number 1015 shoves that it was settled at an earlier period. It was formerly populous

¹ Act of March 3, 1791, sec. 2. See *United States Statutes at Large*, I. 221.

² *Per contra*, see *Winning of the West*, II. 88-89.

³ Winsor's *Narrative and Critical History of America* (VI. 717) reproduces from Philip Pittman's *Present State of the European Settlements on the Mississippi* (London, 1770) "a plan of Cascaskies (*Kaskaskia*)."

and in a Flourishing Condition. at present no more then from 5 to 600 Souls are in the Town and its much diminished in Wealth as well as population. The many Changes that have taken place in the Government of this Country has greatly contributed to this decay, and more Especially the last when taken possession of by the Americans in the Year 1778 from which time to the Year 1790 it was in a manner left without any civil Authority,¹ which induced Numbers of the most Wealthy of the Inhabitants to remove to the Spanish Dominions. Its now the Capital of the County of Randolph having in the Year 1795 been detached from the County of St. Clair.

Kaskaskia River discharges itself into the Missisipi about five miles below the Town is about 250 Yards wide, has an easy current and may be navigated most Seasons of the Year with Boats from 10 to 30.000 lbs Burthen. the Lands on the Kaskaskia for 150 Miles up are equal to any in the United States formeing large and Extensive Meadows.

From the best Accounts that can be gather.d from the most antient of the Inhabitants it appears that the first Settlement of the Country by the French was at a place called La Riviere Despere (or Fathers or Priests River) which is situated on the now Spanish side of the Missisipi about 6 miles below where the Town of St. Louis now stands and about 50 miles above Kaskaskia. From the suppos.d Unhealthiness of that spot, they remov.d to a prairie on the Kaskaskia River about 25 Miles from its Mouth where the Tamaroica Indians then liv.d. Here they built a Church dedicated to St. Joseph, and Called the prairie after the name of the Saint, and resided there some time, untill some disorder prevailing among the Indians, which distroyed the Most of them in one Year, they came to Kaskaskia and built a Stone Church in the Centre of the Town Dedicated to the *Immaculate Conception* of the *Virgin Mary*. This has Since from the badness of the Work fallen Down and in its Room another large and Spacious Fram.d one has been Built, which is now in good Repair with a Spire and Bell. Before the Church is a large Square. the Jesuit's College which stood on the East side of the Town is now intirely destroy.d. the Houses are much reduced in number. its said when in its Glory to have contained 350 or 400 but at this time there is no more then 250 and many of them much out of Repair. the Trade of Kaskaskia was equal to all the Towns on the Missisipe, but like all the Towns on the American Side, its now poor and cannot be said to have any Trade.²

The Aborigines of the Country from which the Town and River of Kaskaskia took there Name, were formerly a Numerous people, but who

¹ See Dr. Boyd's article, *The County of Illinois*, in this REVIEW, IV. 623-635.—ED.

² Cf. *Winning of the West*, III. 236-237, following a "Memorial of the French Inhabitants of Post Vincennes, Kaskaskia, La Prairie du Rocher, Cahokia, and Village of St. Philip to Congress," by Bartholomew Tardiveau, agent, in the State Department MSS. Roosevelt intimates that Tardiveau may have misrepresented the Creoles for the sake of what he considered his own advantage. See also the reference, p. 240, to the letter of Harmar to the Creoles.

now do not consist of more than 8 or 10 men at most.¹ The Wars they were engaged in with the Shakia² and Fox Indians who revenged the Death of the Famous Chief *Pontiac* treacherously Killed by an Illinois Indian in one of the Illinois Villages, together with there debauched manner of living, have in a manner Annihilated a Nation which at the first Settlement of the French consisted of about 3000 fighting men so that the Whole Nation at that time must have consisted of about 12,000 souls. The Neighbouring Tribes who called themselves Tamaroicas Mitchigamias, and Kahokias, are all extinct, or at Least, if they are living they have Joined other Nations, and the Piorias, the remaining Tribe of those Indians who were Called by the general Name of the Illinois Indians, now live on the Spanish side of the Missisipi, and do not consist of more than 40 men. They are as Equally lazy and Debauched as the Neighbouring Tribes, and will also with them soon be Extinct. The Chief or as he is called the King of the Kaskaskia Indians (Baptiste Ducoigne)³ is a man of about 45 or 50 Years of Age, is said to be a man of good understanding, his dress is much like the French and he would pass for a Frenchman with strangers. Baptiste Ducoigne I am told receives from Government, 500 Dollars p^r Annum Which is given to the Kaskaskian Nation,⁴ but Ducoigne takes good care that the few Indians Yet remaining do not receive a Shilling, so that Government pays 500 Dollars for nothing, and Worse then Nothing, the Money Onely Answers to make an Indian Chief Drunk If he is so minded every Day in the Year. Was Government well informed of the reduced state of the Kaskaskia Indians, I think this money would be with held, for it Answers No good end what Ever. was the like sume expended in Extending a Post from the Falls of the Ohio to Post St. Vincennes, and from Vincennes to Kaskaskia, by which means the People would have an oppertunety of hereing from the Government and the Government from them, such an Establishment would be productive of much good.

The Illinois Country is perhaps one of the most Beautifull and fertile in America and has the perculiar advantage of beeing interspersed with large plains or prairies and Wood Lands, where a Crop can be made the first year, without the trouble and Expence of falling the timber, which in every other part of America exhaust the strenght and purse of a New Settler. The Missisipi affords an Easy and certain Conveyance for his produce at all Seasons of the year, to New Orleans, which place or some other on the lower parts of the River bids fair to be one of the greatest marts in the World. Nature has undoubtedly intended this Country to be not onely the most agreeable and pleaseing in the World, but the Richest also. Not that I suppose there is many If any Silver Mines or Gold Dust. Nor do I consider either of them sufficient to make a Country Rich. but the Missisipe has Whats better, she has a Rich Landed Country. She

¹ See The George Catlin Indian Gallery, p. 886, *Smithsonian Report* for 1885, Part 2.

² Sacs.

³ See his letter in this REVIEW, IV. 107, 108.—ED.

⁴ In accordance with the treaty of Greenville, Art. 4.

has the Richest Lead Mines in the World, Not onely on the Maramack and its waters but also on the banks of the Missisipi about 700 Miles up from St Louis at a place call.d Prairie du Chien, or Dog Prairie, at which place or near it is also a (Copper) Mines, of Malleable Copper, the Veins of which are more extensive then any of the kinde here to fore found. she has Salt Springs on Each side of the River, and also Iron Ore in great quantities. These Minerals are more usefull in a Country then Gold or Silver. A Country thus Rich by Nature cannot be otherwise then Wealthy with a moderate shere of Industry. Its also to be remember.d that all the Wealth of this extensive World may be warfted to a Market at any time of the year Down the Missisipi at an easy expence.

the 19 I pass.d the Missisipi on Ice to St Genevieve, which is about 2 Miles from the bank of the River, which at this place is about A Mile over. I presented my letters from the Commandant of St Louis, to Mon^r Valle, the Commandant of St. Genevieve, who receivd me with much Politeness, and promis.d me all the assistance in his power and on the 21 beeing furnished with a *Carry all* and Two Horses I left St Genevieve in Company with a M^r Jones of Kaskaskia¹ for the Mines of Briton, and on the 23 arriv.d at the Place, I found the Mines equal to my Expectation in Every respect. the weather turning warm we was oblig.d to make a quicker return then I wish.d. however I satisfied myself as to the Object I had in vew, and returned to St Genevieve, on the 26th the Mines of Briton, so called in Consequence of there beeing found by a man of that Name, are about 30 Miles from the Town of St Genevieve. there is a good waggon road to the place, and all the Lead that has been made at them is by makeing a fire over the Ore with large Loggs which Melts some of the Ore, by which means about $\frac{2}{3}$ of the Lead is lost. Notwithstanding the Imperfect manner in which they Melt the Ore, Yet at the Mines of Briton last Summer was made 400 000 Lead, and from an experiment I made the same quantity of Ore that was made use of, to make the 400 Thousand pounds would have made 1200,000^{lb} of Lead, If I was rightly informed as to the quantity of Ore they Took to make a 1000^{lb} Lead in the Logg fires. the Ore at the Mines of Briton Covers about 40 Acres of Ground and is found with in three feet of the surface of the *Earth* in great Plenty and better quality then any I have ever seen either from the Mines in England or America.

The Town of St Genevieve is about 2 Miles from the Missisipe on the high land from which You have a Commanding Vew of the Country and River. the old Town Stood immediately on the bank of the River

¹John Rice Jones. He was Commissary-General of the garrison at Vincennes in 1786-1787 and played a prominent part in the early history of Indiana, and later of Missouri, where he became associated with Austin in the mining business. His son John, or John Rice, Jones, was the first Postmaster-General of the Republic of Texas. See, in Vol. IV. of the Chicago Historical Society's Collections, *John Rice Jones: a Brief Sketch of the Life and Public Career of the First Practising Lawyer of Illinois*, by W. A. Burt Jones, and a note on John Rice Jones, *Quarterly of the Texas State Historical Association*, II. 1. The title of the sketch referred to speaks for itself as to the claim of its author.

in an Extensive plain but it beeing Some times over-flow.d by the Missisipe and many of the Houses washed into the River by the falling of the Bank, It was thought adviseable to remove the Town to the hights. the Place is small not over 100 Houses, but has more Inhabitents then Kaskaskia and the Houses are in Better repara, and the Citizens are more Wea[l]they. It has some Indian Trade, but what has made the Town of St Genevieve is the Lead and Salt that is made Near the place, the whole of which is brought to Town for Sale, and from thence Ship.d up and Down the River Missisipe as well as Up the Ohio to Cumberland and Kentuckey, and when the Lead Mines are properly worked, and the Salt Springs advantageously manag.d, St Genevieve will be a place of as Much Wealth as any on the Missisipe. One Mile from St Genevieve Down the River is a Small Village Called *New Bourbon* of about 20 Houses. at this place, I was Introduced to The *Chevalier Pierre Charles De Hault De Lassus*, A French *Nobleman* Formerly of the Council of the late King of France.¹ Chevalier De Lassus Told me he had an Estate in France of 30 thousand *Crowns*, but was oblig.d to make his Escape to America and leave all, Which has since been taken by the present government. *Madame De Lassus* had an Estate of half that sum p^r annum So that the Yearly Income of the famely besides the sumes allow.d him by the King, Amounted to 45 Thousand Crowns p^r Annum. *Madame De Lassus* did not appear to support the Change of Situation so well as the *Chevalier*. I was examining a larg Piece of painting, which was in *Madame De Lassus* Bed Chamber, representing a grand Festival given by the Citizens of *Paris* to the Queen, on the birth of the Dauphin and a *Parade* of all the *Nobles* on the same Occation. She came to me and puting her finger on the *Picture* pointing out a Coach There said she, was I on that Happy Day. My situation is now strangely Chang.d. after Taking leave of Chevalier De Lassus I recros.d the River To Kas-

¹ "Pierre Charles Dehault Delassus et de Deluzière, Knight of the Grand Cross of the Royal Order of St. Michael, with his wife, Madame Domitille Josepha Dumont Dancin de Beaufort, of the ancient nobility of the town of Bouchaine, in Hainault, French Flanders, northern part of France, came away from their native place, where their ancestors had lived from time immemorial, during the early period of the French Revolution. They arrived at New Orleans about the year 1794 and after a time they came up to Ste. Genevieve and established and located themselves at New Bourbon, contiguous to Ste. Genevieve. Their children were at the time Chas. Dehault Delassus, a Colonel in the service of Spain, their eldest son; another James M. E. Delassus, already mentioned in these annals, and a third, Camillus Delassus, then a young man. If there were other sons or daughters their names are not found in our St. Louis archives. Governor Trudeau made them a concession of land for the support of the family, and the old gentleman was appointed civil magistrate of the place, which position he filled until the transfer of the country to the United States in 1804." Billon, *Annals of St. Louis in its Early Days under the French and Spanish Dominations*.

The above extract was furnished by Dr. Joseph Bauer, of New Orleans. The same volume states further that Colonel Charles Delassus was transferred to Louisiana in 1794, "so that he might be useful to his father's family and continue in the Spanish service." In 1799 he became Lieutenant-Governor and Commander-in-Chief of Upper Louisiana. He continued in the service in different capacities until 1810, when he resigned. He died in New Orleans in 1842.

kaskia and on the 8. of Feb^r, Took my leave of the good people of Kaskaskia, takeing a Frenchman by the Name of *Degar* as a guide to *Fort Massac* setting my face homwards. after rafting and Swimming several river, I arriv.d at the Ohio about 18. Miles above Fort Massac where A Number of Frenchman was Camp.d for hunting. With much Trouble and Danger I swam my Horses over the Ohio gitting an Other Frenchman as a Guide. I on the 17 Day of Feb^r arriv.d at the Town of Nashville on Cumberland River in the State of Tennessee. At this place I rested my Self and Horses Six Days and then in Company with fourteen Others some Woman and some Men Took the Wilderness for Knox Ville and without Meeting any thing uncommon arriv.d at Knox Ville on the 4 Day of March where I stad.d but a Night, and on the 9 Day of the Month arriv.d at the Villiage of Austin Ville after an Absence of 3 Months and Nine Days, Makeing a Journey of upwards of Two Thousand Miles 960 of which was A Wilderness and the Snow most of the way Two feet Deep. Five Days of the time I was without provisions. I have made these few observations of my Journey to the Missisipi for the Use of my son, should he live to my Age, Not Doubting but by that time the Country I have pass.d in a state of Nature will be overspread with Towns and Villages, for it is Not possible a Country which has with in its self everything to make its settlers Rich and Happy can remain Unnotice.d by the American people.

M AUSTIN

AUSTIN VILLE.—)
March. 25 1797)

REVIEWS OF BOOKS

Encyclopædia Biblica, A Critical Dictionary of the Literary, Political and Religious History, the Archaeology, Geography and Natural History of the Bible. Edited by the Rev. T. K. CHEYNE, M.A., D.D., Oriel Professor of the Interpretation of Holy Scripture at Oxford and formerly Fellow of Balliol College, Canon of Rochester, and J. SUTHERLAND BLACK, M.A., LL.D., formerly Assistant Editor of the '*Encyclopædia Britannica*.' Volume I: A to D. (New York: The Macmillan Co.; London: Adam and Charles Black. 1899. Pp. xxviii, 572.)

It has been for some time obvious that the existing English Bible Dictionaries (those of Smith and others) no longer represent the state of Biblical science; there has been great advance in all directions, especially within the last twenty years. A few years ago a revision of Smith was begun, but it proved unsatisfactory and was abandoned. Two new dictionaries have now been announced, one (the *Dictionary of the Bible*) edited by Hastings, the other the *Encyclopædia* the title of which stands above. The suggestion of the latter is due to the late Professor Robertson Smith, who at first thought of republishing the Biblical articles of the *Encyclopædia Britannica* (many of them contributed by himself) with such modifications as later discoveries required. Forced to give up this plan, he (in 1892) requested his friends Drs. Cheyne and Black to undertake the publication of a critical Bible dictionary, the first volume of which has now appeared. The work, as the title indicates, is intended to give a thoroughly critical treatment of all Biblical books, and all persons, things, events, customs and ideas mentioned in the Bible, and the Apocryphal books are also included. The contributors in this volume are drawn from England, Germany, Holland, Switzerland and America. No attempt is made to secure unanimity of views in the various articles; different opinions on the same point are expressed by different writers, but the relations between articles are indicated by numerous cross references. Special attention is given to the text in Old Testament and New Testament; variant readings of the Hebrew and the Greek, together with the testimony of the Versions, are cited at length. The bibliographical lists are numerous and full. The discussions relating to Biblical historical statements, legends and myths, to the structure and dates of books, and to the origin and significance of moral and religious ideas proceed on the lines of historical investigation, independently of all traditional views, Jewish or Christian. The editors are not friendly to the expression

"Biblical theology," which, they think, savors too much of systems of abstract thought—a sort of conception foreign to the Biblical writers: they rather hope to pave the way for a proper treatment of the history of Jewish and Christian religious life and thought. In this point of view they are no doubt right, as well as in the opinion that "the literary and historical criticism of the New Testament is by no means so far advanced as that of the Old Testament."

The articles are written in the main in accordance with these ideas. Certain of them (historical, agricultural, botanical, zoölogical, etc.), have no religious connections, and are plain statements of facts. Those on Babylonia and Assyria give admirable outlines of the history of these countries, using the latest discoveries, cautiously excluding doubtful points, and giving ample references to the best authorities, and they are not likely to be soon superseded. The account of Hebrew agriculture is accurate and full, and the articles on plants and animals (among the most difficult of the minor subjects) have been entrusted to specialists of ability. The larger literary subjects also are treated in a satisfactory way. The development of the Jewish and Christian canons is followed historically; in regard to the latter it is pointed out that the chief reason for its definitive settlement was the necessity of fixing the faith of the Church against various heretical opinions; a similar consideration, no doubt, led to the settlement of the Jewish canon about the end of the first century of our era. There is a valuable description of the non-Biblical Apocalyptic literature, which will serve as a guide to the student of these works. The articles on Acts, Amos, Canticles, Deuteronomy give the latest critical views on these books; Canticles (or "Song of Songs," as the book is properly called), is regarded as a collection of songs sung at a wedding celebration (this view is now being generally adopted); the difficult question of the different documents in Acts is treated judiciously. The complicated mass of material relating to the conception of the Antichrist is handled in a masterly way, and the difficulties of the chronology of Old Testament and New Testament are clearly set forth. A good example of the treatment of New Testament historical questions is found in the article on the famous Council of Jerusalem (Acts xv.), the account of which is held (on what the present reviewer thinks good grounds) to be irreconcilable with the statements of Paul, and to be the work of a harmonizing editor.

In a dictionary of this sort it is always a question how far hypotheses and conjectures should be introduced. The non-specialist expects a record of positive knowledge, the specialist desires all suggestions that are helpful. It is obviously desirable to distinguish between known facts, theories which are practically assured or have a high degree of probability, and mere conjectural emendations and reconstructions. Such distinctions the *Encyclopaedia* does undertake to indicate by differences of type and other means. Thus, in the examination of the much-discussed story of Chedorlaomer and Abraham (Gen. xiv.) it is pointed out that the two parts of the narrative must be kept separate: one describes a campaign of an Elamite king—this is to be tested by cuneiform docu-

ments; the other deals with Abraham (Abram), and is to be judged by the testimony of the Old Testament itself; if the campaign should turn out to be an historical fact, it would not follow that the story of Abraham's victory and his meeting with Melchizedek was historical. It is generally assumed in the *Encyclopaedia*, we may remark in passing, that the names of the patriarchs and their wives and daughters are tribal and not personal; it would perhaps have been better to give fuller statements (for example, in the case of Abraham) of the reasons for this assumption, and one would like also to have a sketch of the gradual elaboration of the person of Abraham—one of the most notable figures in the Old Testament. The article on Abraham, is however, a careful statement of known facts, and the same thing is true of a number of others, such as those on Abomination of Desolation, Geography, Benjamin, Canaan. In some cases conjecture has been too freely introduced. Under Cainites the genealogical list in Gen. iv. is discussed, and the attempt made to explain the origin of the names. The article is learned and interesting, but the conjectures as to the names would be more appropriate in a critical magazine than in this dictionary; the material is at present too uncertain to permit the founding of a theory on it. The suggestion (under Ark of the Covenant) that the ark, after its capture by the Philistines, remained in Philistine territory would stand better in a footnote. Hommel's explanation of the term Belial should be treated in the same way. There are some emendations of the Hebrew text that strike us as being very bold, as, for example, the reconstruction of the list of Edomite kings (under Bela) in Gen. xxxvi. To certain more important points also exception may be taken: the view that angels were regarded as manifestations of Yahweh appears to be contradicted by the Bible phraseology, and it is difficult to believe that the Eden story was taken not as history but as moralized myth by the Old Testament and New Testament writers. But, though this first volume of the *Encyclopaedia* has its little sins of omission and commission (among these an occasional undue insistence on the necessity of adopting the "critical" method of research), it must be pronounced to be a very valuable addition to the material of Biblical study. It is learned and conscientious—the various writers are obviously concerned to get at the truth, and it is handicapped by no theological prepossessions. It is clearly and conveniently printed, so that the reader, whether a specialist or not, can have little difficulty in getting the information he desires. It may be heartily commended to all those who wish to learn the opinions of historical authorities and "advanced" critics in Biblical science.

C. H. Toy.

Babylonians and Assyrians. Life and Customs. By the Rev. A. H. SAYCE. (New York: Charles Scribner's Sons. 1899. Pp. 266.)

THIS book is the first in a "series of handbooks in Semitics," edited by Professor J. A. Craig, of the University of Michigan. The series is

intended to "present in brief and compact form a knowledge of the more important facts in the history" of the Semitic peoples, with special reference to the needs of students, the clergy and intelligent lay readers.

Professor Sayce's materials are drawn almost entirely from cuneiform sources. The subjects treated are: 1. Babylonia and its inhabitants; 2. The family; 3. Education and death; 4. Slavery and the free laborer; 5. Manners and customs; 6. Trades, houses and land; 7. The money-lender and banker; 8. The government and the army; 9. The law; 10. Letter-writing; 11. Religion. Of these, 10 might have been made a part of 3, and 11 might have been omitted, since an entire volume is to be written on that subject.

In selecting from the great mass of the so-called "contract tablets" our author has chosen well, and in general the translations are good. There are, however, many slips in detail, some of which are doubtless due to a failure to verify the references. To cite a few: On page 15 Nubtâ is incorrectly called the daughter of Ben-Hadad-amara (see the correct statement on pp. 202, 203); 110 manehs should be 11 manehs; 11 menehs and 50 shekels must amount to more than £62½, whether the maneh be £9 (as usual in this book) or £6 (p. 20, error for 9?). The way in which Nubtâ is introduced (l. 10) would lead the reader to suppose that she is the same person as the Nubtâ of line 3, but this is not the case.

There is a considerable list of misprints, such as "*panca*" for "*franca*" (157), "uniform" for "cuneiform" (205), "weight" for "night" (266), while on p. 211 the two halves of the word "cuneiform" have been separated by two whole lines, and a new word thus coined, "cunei-plain."

But there are certain more positive defects. Chief of these is a tendency to exaggeration, to state possibilities as facts, to draw large conclusions from inadequate premises. We are without evidence that the Babylonians had a Sabbath of the kind described on p. 245. We cannot assert that we have autograph letters of Khammurabi (210). That girls went to school and that women could write (47) may be true, but the evidence presented is inadequate. The name Bel-ia-u should not be read Bel-Yahu (190) and explained as "Bel is Yahveh." The "postal system" as early as 3800 B. C. (104, 213) is imaginary. The "paymaster" (182) ought to be the "guard" or "inspector." With this correction fall to the ground the words about the fraud practised by the paymasters. That Ur was founded as early as 6500 B. C. (2) may be true, but should not be stated with positiveness.

The book contains much unnecessary repetition. As evidence, compare p. 75 with pp. 201, 202; p. 17 with pp. 148, 153, 186, 189, 210 (the statement that Khammurabi is Amraphel); p. 15, top, with p. 70 (read Nubtâ for Qubtâ); p. 15, middle, with pp. 202, 203; p. 47 with p. 214. If the space thus given to lengthy repetitions had been devoted to precise references to the sources of the materials, the gain to the reader would be great. The almost total absence of definite references will seem to many the greatest defect in the book. An index would also be a wel-

come addition, and might have called the author's attention to the many repetitions.

But, notwithstanding slips, misprints, repetitions and even exaggerations, the book is one of great usefulness. The specialist can point out many infelicities of translation and many unjustifiable conclusions. And yet the impression made by the work will be in general correct. No other book shows so well how rich and varied Babylonian culture was. The reader needs only to bear in mind that it is often wrong in details. The blemishes are of a kind easy to remove by a careful revision, and this revision should be made before the work is reprinted.

A History of the Jewish People during the Babylonian, Persian and Greek Periods. By CHARLES FOSTER KENT, Ph.D., Professor of Biblical Literature and History, Brown University. (New York: Charles Scribner's Sons, 1899. Pp. xx, 380.)

THIS volume forms the continuation of the *History of the Hebrew People* by the same author, the second volume of which was noticed in this REVIEW in 1897 (II. 708 f.). It covers somewhat more than four centuries, from the fall of the kingdom of Judah in 586 B.C. to the restoration of sacrifice in the temple by Judas Maccabaeus in 165 B.C. A fourth volume (by Professor James S. Riggs), on the Maccabean and Roman Period, is to complete the work.

As in the preceding volumes, the author aims to present in popular form the results of modern investigation. The task is here more difficult; because, in consequence partly of the nature of the sources, partly of the fact that attention has only lately been centered on these problems, there is wide divergence of opinion among scholars, especially about the history and chronology of the Persian period.

With most recent critics Professor Kent shows that only a small part of the population of Judah was carried away to Babylonia in the two deportations of 597 and 586 B.C., and holds that there was no general return of the exiles under Cyrus. The Jews of Palestine in the first century of Persian rule were the descendants of those whom the Babylonians had left in the land; they had rebuilt the Temple in 520-516 with high hopes, but with the failure of these hopes they lost heart and faith—"it is in vain to serve the Lord"—and this state of feeling reacted most seriously on their religion.

The first important change in this situation was made by the coming of Nehemiah from Susa in 445. He restored the walls of Jerusalem and instituted some needed reforms; but on a second visit in 432 (not 532, as printed) he found that the people had gone back to their old ways.

Ezra, with a numerous company of Babylonian Jews, came to Jerusalem, not thirteen years before Nehemiah (till recently the all but universal opinion), but after him, probably in 397 (seventh year of Artaxerxes Mnemon; p. 201), bringing with him a new law-book (the Priests' Code), which, with the co-operation of Nehemiah, he succeeded in putting in force.

Professor Kent does not remark the difficulties in which this combination involves him. If Nehemiah was active in Jerusalem in 397, we have to suppose either that he had remained there since 432—in which case the state of things Ezra found is inexplicable—or that, although over seventy years of age, he made for the third time the long journey to Palestine, a hypothesis quite without support and intrinsically improbable.

The rival temple at Shechem was built soon after 397, as a consequence of the adoption of the Priestly Law by the Jewish community (but note the uncertainty about the dates on p. 220 f.), and its first chief priest was the priest Manasseh, whom Nehemiah had expelled from Jerusalem. We should expect, under these circumstances, that the priesthood at Shechem would plant themselves on the old law and custom, in opposition to Ezra's innovations; but Professor Kent, with many others, supposes that they made all haste to adopt the new model themselves, and he explains this, after Professor Cheyne, by attributing to Manasseh a zeal for reform like that of Ezra himself—an explanation which leaves the difficulty precisely where it was. In this, as in some other points, the author seems to have adopted the newest opinions without a sufficiently independent testing.

In others, again, as for example in the chronology of the campaigns of Artaxerxes Ochus, he does not appear to have taken note of the results of recent investigations, such as those of Judeich; and it is evident that he has seldom consulted the sources for himself. On p. 283, *e. g.*, we are referred for the history of Antiochus Epiphanes to Polybius xxvi. and Diodorus xix.; observe also the confusion about Bagoas and Bagoses in Josephus and Diodorus on p. 230.

I regret to say that the same pervasive inaccuracy which marred the second volume is even more conspicuous in this. Some of the slips are doubtless to be set down to negligent proof-reading, as when Nehemiah's second visit to Jerusalem is twice put in 532 B. C. (pp. 187, 192); or the reign of Artaxerxes Mnemon given as 404-458, or the date of Antiochus Epiphanes' second Egyptian campaign as 198. The conquest of Babylon is repeatedly put down in 539 (in the chronological table, 538); the conquest of Media, 549. It would be easy to fill a page or two of the REVIEW with a catalogue of material errors. Some of the most remarkable of these are in matters of simple Biblical knowledge, as, for example, the statement that to Jewish priests, from the moment of their consecration, "the tasting of wine, shaving their head or beard, or the doing any act which would render them ceremonially unclean, was absolutely forbidden" (p. 244), or that, under the priestly law, laymen were "deprived the privilege of personally participating even in private sacrifices" (p. 249). Memphis is said to be "not far distant from the borders of Judah" (p. 29). Ctesias twice appears as "the Persian historian" (pp. 14, 74), once in company with "the Halicarnassan historian" Herodotus, from which the unlearned might think that the author took Ctesias for a Persian. These are examples taken at random from a great number and variety. Precisely because this history is intended for

readers who cannot be expected to correct such mistakes by their own knowledge, this negligence in matters of detail seriously impairs the usefulness of the book.

G. F. MOORE.

A History of Egypt under the Ptolemaic Dynasty. By J. B. MAHAFFY. (New York: Charles Scribner's Sons. 1899. Pp. xiii, 261.)

A History of Egypt under Roman Rule. By J. GRAFTON MILNE, M.A. (New York: Charles Scribner's Sons. 1898. Pp. xiii, 262.)

THESE two works form Volumes IV. and V. of Professor Petrie's "collaborated" *History of Egypt*. He himself has written Volumes I. and II. and will, it is hoped, shortly publish Volume III., covering Dynasties XIX.-XXX. Volume VI., dealing with Arabic Egypt, has been assigned to Stanley Lane-Poole. The plan of the series contemplates a student's history, no attempt being made to give a well-rounded and entertaining narrative of the various elements entering into the wonderfully full life of Egypt. The dynastic arrangement is followed and the original materials are either presented in full or in abstract, or are so amply referred to that the student will have little difficulty in finding them.

The plan has been faithfully carried out in the volumes before us, which have fallen into hands admirably fitted for their tasks. Few except special students of the field are aware how our knowledge of Ptolemaic and Roman Egypt has been recently enriched and corrected by the discovery, publication and investigation of papyri dating from these periods. Some idea of the amount of work done can be gained by glancing over the voluminous report of books and articles dealing with papyrus literature published within the last five years, made by Viereck in a recent number of Bursian's *Zeitschrift*. The results of these investigations have been to correct chronological errors and clear up doubtful chronological points, to enlarge and rectify estimates of rulers and policies, to throw a veritable flood of light on general, social, religious, economic and political conditions, and to make possible the writing of new chapters of Egyptian history.

These two volumes gather up in admirably workmanlike fashion the tools and the results of this advanced knowledge. Both writers are specialists in their respective fields. Professor Mahaffy has already published (in 1895) a larger work on *The Empire of the Ptolemies*, some parts of which he has incorporated into the present volume. He stands among the foremost workers in the publication and investigation of Graeco-Egyptian papyri.

It must be said that these two chapters of Egyptian history do not have the attraction and importance attaching to the earlier periods. This is certainly the case in respect to Roman Egypt, which can be at the best only the history of a province, even if an important province, of the Roman Empire. Ptolemaic Egypt, also, was not the scene or the

centre of any great movements affecting the world's progress. Outwardly it was one of those fragments succeeding to Alexander's shadowy empire, whose disappearance ushers in one of the dreariest and most complex chapters in the history of antiquity, which even Droysen's genius in his *Geschichte des Hellenismus* has not succeeded in making attractive to a large circle of historical students.

Yet if any of these warring kingdoms should arouse a more than limited human interest, it is Egypt under the Ptolemies. Here for nearly three centuries a single family of kings maintained an orderly and prosperous rule. Here Greek art and literature sought and found shelter and encouragement when faction and bloodshed had driven them from their native land, and, in the famous Museum and Library, produced works, which, if they did not equal those of Greece in its prime, yet continued the succession in no unworthy fashion. Here the Jews found a new home where contact with other literatures led them both to exploit their own and to produce a new philosophy of religion which profoundly influenced succeeding epochs. Nor are the personalities and policies of the rulers insignificant. There were no more skillful monarchs in the ancient world than the Ptolemies. The women of the royal house are especially interesting by reason of their vigor, intellect and personal charm. The wives are deified along with their royal husbands. An Arsinoe was honored all over the Greek world and a Cleopatra vanquished the greatest of the Romans.

A most interesting historical question with respect to Ptolemaic Egypt relates to the character and extent of the Greek influence. On the one hand it is held that the Ptolemies ruled primarily as Greeks, caring little for the Egyptian interests of their subjects, except as such care might tend to increase the revenues which were employed to maintain the rulers in the luxury and magnificence of their Hellenic courts. Greek manners prevailed and Greek religion was fostered. Egypt was a conquered country, governed by an alien dynasty of kings, whose military power and native abilities alone secured their position from generation to generation. But this view, already gravely opposed by weighty evidence, has received its death-blow from the testimony of the papyri, which indicate that the ruler was fairly alive to the necessity of conciliating and attaching to himself his Egyptian subjects, sought in some measure the development of the resources of the native population, and even adjusted himself to the political, religious, and social framework which was immemorially Egyptian. All this Mahaffy brings out very clearly and forcibly. The divinization of the Ptolemies, for example, was thoroughly Egyptian and needs not the explanation from Greek modes of thought. The marriages of brothers and sisters, characteristic of the Ptolemaic régime, are explicable from the same source. The long list of temples built and the many Egyptian inscriptions to the honor of these rulers point in the same direction.

In one respect, indeed, it is probable that Mahaffy has underestimated the Greek influence. He minimizes the extent of the introduction of the Hellenic city-state into Egypt, with the contemptuous remark that the

first Ptolemy "had evidently no taste for those pseudo-Hellenic polities, with their senates and public assemblies, which excite the admiration of so many modern historians." Against the denial of such a polity to Alexandria, on which Mahaffy insists from the negative evidence of the absence of inscriptions, there is to be mentioned the testimony that Augustus abolished the senate of Alexandria, "the most characteristically Hellenic part of the local government," as Milne justly remarks. Indeed, one is tempted to see in this position of Mahaffy only an illustration of his invincible torism, which displays itself also in his denunciation of the Romans as entering the East for "unlimited plunder" and dealing with Egypt because they were after its "spoil." A similar inclination is suggested by his unlimited appreciation of these Ptolemaic rulers whose policy of "thorough" is quite to his taste, and whose character in several instances he strenuously seeks to rehabilitate even against the testimony of such an authority as Polybius.

Milne's work in his volume on Roman Egypt has much less individuality than Mahaffy's, who is always himself and infuses a good deal of the spirit of the political pamphlet into whatever he writes. But the former has not produced any the worse book on that account. To be sure, the inequality of the amount of information available for different periods makes a connected and detailed narrative impossible. Roman historians were not particularly interested in Egypt. Egypt, as the author aptly says, supplied corn, not men, to Rome. Yet it is not difficult to obtain a satisfying notion of the various epochs and the main lines of development, especially in view of the mass of papyrus material available for purposes of comparison.

So important to Rome was Egypt regarded by Augustus that he took it under his immediate supervision, and to this fact it owed the measure of good government which it enjoyed. For two centuries it had peace and great prosperity. It affords an additional illustration of the fact, constantly overlooked and practically denied by many good historical students, especially by students of church history, that the Empire is not to be judged by the life of the capital and from the court gossip, which is about all that is given in Suetonius and Tacitus, but by the situation and government of the provinces. Egypt was probably happiest under the Emperors Claudius and Nero, the latter of whom is in a decree of an Egyptian district entitled "Agathos Daimon of the world," a phrase which, says Milne, "is probably more than a mere empty formula." But in the beginning of the third century Africa came forward as a grain-producing region in rivalry to Egypt and the latter gradually lost importance and its prosperity declined, until at last, ruined and worthless, it was resigned without a struggle, first to the Persians, and finally to the Arabs. The papyri and inscriptions afford clear and in some periods detailed information concerning the Roman methods of government, the local and provincial organization, the economic conditions and the religious situation throughout these centuries, all of which is brought out in several chapters, with admirable compactness, by the author.

The significance of Roman Egypt in the growth of Christianity will always lend interest to its history. Alexandria was one of the greatest centres of Christian theological thought, where Hebraism and Hellenism were fused into one by the creative spirit of the Gospel. The Nile valley and its surrounding deserts saw the beginnings of Christian monasticism. Egyptian papyri have already yielded to us the *Logia*, other important Christian documents, and the first *Libellus*, and it is likely that many documents still more valuable lie beneath its soil, awaiting the zeal of the excavator. One of the most interesting chapters of Milne's book is the discussion of Religion in Egypt under the Romans, the passage from Paganism in its various forms, the crude, passionate animal-worships of immemorial antiquity, the refined Hellenic idolatry, and the Roman Caesar-worship, to Christianity. Christianity advanced very slowly and transformed Egyptian character very slightly, so that the heathen fanaticism which plundered the Jews differed but little from the Christian fanaticism which murdered Hypatia, while in the upper country the ancient worships that flourished when the Pharaohs were in their glory still drew the majority to their antique shrines.

It remains to say that full references to authorities, admirably selected and clearly reproduced illustrations, and careful indices make these volumes models of their kind.

GEORGE S. GOODSPEED.

The Revelation of Jesus. A Study of the Primary Sources of Christianity. By GEORGE HOLLEY GILBERT, Ph.D., D.D., Professor in Chicago Theological Seminary. (New York: The Macmillan Co. 1899. Pp. x, 375.)

THE author of this work has a certain freedom from theological constraint. He is confident of his scientific intentions and asks for no test but the historical. The tone is perhaps over-confident. "We have, in English, but one scientific discussion of the entire subject of the teaching of Jesus, so far as I know, and that is a translation of Professor Wendt's work." This is an unfortunate disparagement of the work of other men. Dr. Orello Cone and Arthur Kenyon Rogers have discussed the subject without serious omissions. The seeming brevity of their treatment in comparison with Dr. Gilbert's, as shown by a count of pages, is due to their exclusion of the Fourth Gospel, which Dr. Gilbert, on the other hand, uses as "an accepted and authoritative writing of the close of the first century." If scientific method rather than exhaustion of detail is to be considered, it does not appear that Dr. Gilbert is warranted in proudly ignoring them. The first step in science is the distinguishing of things that differ, and Dr. Gilbert has not detected features of the Johannine Gospel which prevent such a co-ordination of it with the Synoptics as is here attempted. Some disparity is indeed admitted, but this is left in the form of mere statement without attempt to define or solve the historical problem involved. This is, at best, an incomplete science.

It cannot be admitted that a purely historical treatment has been won. The author declines to start with the attitude of Jesus to legalism, and offers at once the notion of a new revelation of God drawn from a unique and absolute supernatural knowledge. Why then should we claim the full freedom of historical research? Historical movements usually arise out of historical conditions, and leaving for faith the question of a supermundane guidance, historians have already succeeded in understanding the distinctive preaching of Jesus as formulated in a struggle to overcome the social cleavage introduced by Pharisaic legalism. Dr. Gilbert on the other hand reads all the Synoptic utterances by a super-historical view like that of the Fourth Gospel. Everything is interpreted ultimately out of a consciousness creatively awakened in the supernatural experiences of the baptismal hour. For example, the predictions of resurrection are not the utterances of faith but the deliverances of supernatural knowledge. Presented with the Synoptic Gospels alone the reviewer would never have so construed matters, and he is obliged to believe that Dr. Gilbert's treatment is scientifically incomplete. The attempt to combine the Johannine and Synoptic material does not justify itself by consistency in the results. Again, considerable argument is put upon the Synoptics to adjust them to the claim of absolute sinlessness in the revealer and of his perfect moral union with God. On the basis of the Synoptics this topic would never have been raised and the arguments here employed are borrowed from the discipline of systematic theology.

After all the intense study expended in recent years upon the preaching of Jesus, a certain established result would seem to be finding acceptance with regard to the conception of the Kingdom of God and the Messianic function of Jesus. Dr. Gilbert's conclusions are in marked contrast with this tendency and this is due to the imperfect criticism which he has applied to his sources. Even Matthew xii. 40 and Mark xiv. 28 are accepted without reserve. Should the author accept his conclusions as the content of an authoritative revelation he would be opposing not only eminent historical critics but the established ecclesiastical standards. Such a solitude requires courage. It is argued that two events are spoken of by the term *Parousia* and that in neither case is a personal return of Jesus to earth involved. One event precedes the evangelization of Israel and means "the signal triumph of the Gospel through the next two decades subsequent to the crucifixion." The other is at the end of the age and again this is only "a figurative announcement of the consummation of the age." In conformity with this, the judgment is an ethical process going on in earthly life—as in the Fourth Gospel. Even the judgment at the "end of the age" disappears by a use of language which savors of dialectic rather than of historical interpretation. The reviewer cannot profess to understand this "end of the age" as it is here explained.

The work has, so judged, serious defects, but it is not without great merits. The care of detail, the direct, forcible, pleasing expression, the religious warmth are appropriate to the theme. The author's results seem to be inferior to his abilities.

FRANCIS A. CHRISTIE.

Roman Society in the Last Century of the Western Empire. By SAMUEL DILL, M.A., Professor of Greek in Queen's College, Belfast. Second edition, revised. (London: Macmillan and Co. 1899. Pp. xxviii, 459.)

It is a gratifying fact that a second edition of this important work should have been required nine months after the first publication. This is an added proof of our modern interest in a society long neglected because of the stigma of decrepitude laid upon it and because of the distorted judgments cherished by ecclesiastical writers. A knowledge of the inner life of the fourth and fifth centuries, once difficult of access, is now made easy by a growing and attractive literature. The great narrative of Gibbon and the historians of the Church have been supplemented by learned and sympathetic studies of the pagan society and its leading personalities in the period of Roman decline. Schultze's *Geschichte des Untergangs des griechisch-römischen Heidentums* and Boissier's *La Fin du Paganisme* find their counterpart in this work of the professor of Queen's College, Belfast. The English work resembles most the brilliant production of Boissier, but its structure, its minute detail and its literary qualities give it a unique value. Boissier's work has greater completeness and chronological continuity, and it serves more distinctly as a literary history of the period. Presupposing more acquaintance with the sequence of events and of literary production Dill offers a collection of detailed studies in the tenacity of paganism, the social life of aristocratic circles, the breaking down of administration, the ruin of the middle class, the attitude of Romans to the invading barbarians and the Roman education and culture of the fifth century. The whole is a notable and delightful contribution to social history, furnishing vivid and attractive pictures of the actual life of families and individuals. The reader is given a sense of personal intimacy with the habits and fortunes, the loyalties and ideals of interesting men and women. The rumble of political and military events in the big empire has something of the same detachment and distance which it has for our neighborhood life of to-day. We are admitted to a living past.

This successful feature of the book rests in large part upon its literary charm. Characters are sketched with such a sympathetic discrimination as Pater might have employed, though with greater simplicity and directness, and the historical imagination restores the scenes in which these personages moved. For this purpose the word-pictures of Sidonius have been freely used. "As we turn the pages of Sidonius, we seem to feel the still, languid oppressiveness of a hot vacant noontide in one of those villas in Aquitaine or Auvergne. The master may be looking after his wine and oil, or laying a fresh mosaic, or reading Terence or Menander in some shady grotto; his guests are playing tennis, or rattling the dice-box, or tracking the antiquarian lore of Virgil to its sources. The scene is one of tranquil content, or even gaiety. But over all, to our eyes, broods the shadow which haunts the life which is nourished

only by memories, and to which the future sends no call and offers no promise" (p. 194). There is many a fine passage of descriptive portraiture like that of the father of Ausonius, which elevates our standard of human nature by the instance of "an almost flawless character, one of those saintly souls who reach a rare moral elevation without support or impulse from religious faith."

Mere eulogy or denunciation are not here. The author has lived long with his facts and knows what allowances are due to the rhetoric of Jerome, the severe spirit of Salvianus, the prepossessions of Orosius. He knows how to supplement the delineations of pagan sources by facts to which they were indifferent. In this temperate and measured fashion Dill acquaints us with the class pride, the cultivated selfishness and want of public spirit which made the social malady of the time.

In generalizations we are all familiar with the evils which exhibit the decline and ruin of the great empire. Here we obtain such a substance of knowledge and such an appreciation of the incidence of those evils upon classes and individuals as evokes some strong emotion. The bad economic system of government and the hopeless corruption of the public service, which baffled every imperial policy of reform, are powerfully portrayed. Most novel, to the reviewer at least, is the exhibition of the tendency to stereotype society and thus to annul the freedom which is the vital condition of human advance, and to substitute for a living social organism a series of hereditary and immobile occupations and castes. For the common man this was "the principle of rural serfdom applied to social functions." By this very policy the government "received no guidance or inspiration from the thoughts or needs of the masses." The cultivated aristocracy lived in stately self-content reproducing the forms and ideas of the past without power or desire to shape the future. "To such a condition of death-like repose or immobility had the imperial system reduced the most intelligent class in the Roman world. Faith in Rome had killed all faith in a wider future for humanity."

A work of such vital interest and masterly performance will appeal to all who seek to know the tissue of historical life.

FRANCIS A. CHRISTIE.

Verfassungsgeschichte der Provence seit der Ostgothenherrschaft bis zur Errichtung der Konsulate (510-1200). Von FRITZ KIENER. (Leipzig: Dyk'sche Buchhandlung. 1900. Pp. xii, 295.)

THIS is a remarkable contribution to the history of institutions. Its aim is to establish the continuity of Roman institutions of a higher type than those of a municipal character in Provence during the Middle Ages. The point of departure taken by the author is the year 510, the year of the establishment of the Ostrogothic rule in Provence. In discussing the transformation of the Roman provincial administration in the sixth century, Kiener passes briefly over familiar ground. The perpetuation of Roman municipal institutions he takes to be a truism. It is yet old,

though less familiar ground, when he penetrates into the provinces. Soon, however, new ground is broken, and the author's contentions become a series of surprises. In 561 Merovingian Provence had broken into three parts: (1) The "Patriciate" of Marseilles; (2) The *Provincia Arelatensis*; (3) Eastern Provence, which was united with Burgundy. What was the origin and nature of the Patriciate of Marseilles? Was the *patricius* a *herzog* under another name? Waitz thinks the patriciate and the ducal authority practically identical (p. 52 note). This identity Kiener denies, and reasons with a conclusiveness that seems final. This portion of the book is a most brilliant piece of work. What was the influence of Roman administrative forms in Provence upon the Frankish system? The answer Kiener gives makes one breathless. He contends that the Merovingian government knew no official below the duke in the provinces. The Frankish count of the fifth and sixth centuries is a myth (see proofs, pp. 59-61). The inference is that the Frankish count was a development of the Karling epoch. He even attempts to fix the time of this change. It was under Karl Martel and Pepin. The Frankish *gaue* were modified by the Roman *pagi*, the prevailing term to define the *territorium* of the *vicedominus*. The count thus becomes the parallel of the Roman *vicedominus*, while the vicar is a prototype of the later viscount. The author then aims to show that the *Patricius* of Marseilles was nothing less than the ancient Roman praetorian prefect of Gaul, Spain and Britain, fallen indeed from his once high estate, yet nevertheless connected in perfect continuity with the palmy days of the Empire. It would entail too large a space to dilate upon the evidence adduced, but the initial link is the transference of the seat of the Gallic prefecture from Trier to Arles between 390 and 418, and thence to Marseilles in the sixth century. The last allusion to the *Patricius* is in 780, a time curiously coinciding with the creation of the Frankish county-system. In course of time the *vicedominus* too disappears in Provence, though not until the tenth and eleventh centuries. This disappearance takes place in one of two ways. Either his territory tends to become identified with the *territorium* of the rising communes of Provence, or else the *vicedominus*, to save himself from being crushed in the coil of things ecclesiastical, becomes the *advocatus* or *vogt* of the twelfth and thirteenth centuries (p. 254). Already long before this the increasing power of the Church had transformed the civil vicar from a subordinate of the state to a deputy of the bishop (p. 127). Meanwhile the renaissance of the cities of Provence had begun which culminated in the great communes. Here the Frankish *schöffen* have become judges, and by the middle of the ninth century are frequently called *judices*. The Roman idea had gained the mastery. The cities revolted against the justice of their feudal lords, and organized a judicial system of their own in which the *schöffen* are the principal feature. The point, of course, is that the form of Roman judicature was perpetuated. Ultimately the communal corporation appears in the consulate of which the *schöffen* are the nucleus, and which is defined as a joint union of the burghers for self-government (p. 132). The

twelfth century was the epoch of the communes of Provence. The striking fact in regard to them is that in their organization there is a reversion to the Roman type even in the case of lower political forms. Not merely does the communal association result from this inspiration of Roman judicial principles: the petty officials of the commune retain the form and the name of similar officials in the fourth century (pp. 163-167).

A word upon the sources may conclude. The greatest reliance has been placed upon the *Cartulaire de l'Abbaye de St. Victor* in Marseilles, the *Cartulaire de l'Abbaye de Lérins*, the *Cartulaire de l'Ancienne Cathédrale de Nice*, the municipal archives of Provence and the lives of St. Victor and St. Caesarius, bishop of Arles in 542. One very singular discovery which ought to be investigated more widely in other manuscripts, Kiener has made in the latter biography, namely that the Latin particles "*vel*" and "*seu*" have the meaning of *and*, in consequence of which the sentences where these words occur have an entirely different significance from the apparent meaning (p. 49, note 146). The work as a whole is remarkable for the depth of its research, the cogency of its demonstration and the importance of the facts presented.

JAMES WESTFALL THOMPSON.

Two of the Saxon Chronicles Parallel, with supplementary Extracts from the Others. Edited with introduction, notes, appendices and glossary by CHARLES PLUMMER, M.A., Fellow and Chaplain of Corpus Christi College, Oxford, on the basis of an edition by JOHN EARLE, M.A., Professor of Anglo-Saxon in the University of Oxford. Vol. II., Introduction, Notes and Index. (Oxford: Clarendon Press. 1899. Pp. clv, 462.)

AFTER a lapse of seven years Mr. Plummer concludes his work on the Anglo-Saxon Chronicle, interrupted by the preparation of his edition of Bede's *Ecclesiastical History*. The first volume, containing the texts of the Chronicle accompanied by a preface, appendices and a glossary, appeared in 1892, and is now followed by the present volume which completes the work with a long delayed introduction, the notes and an index. The present work differs from its basis, Earle's edition of 1865, rather in execution than in plan, but is of course a very great advance on its ancestor. It differs from Thorpe's six-text edition in the Rolls series, probably its other most widely known and used predecessor, in that it is accompanied by no translation, has a careful study of the MSS. and a whole volume of notes. As the most complete, accurate and scholarly edition of the Chronicle which has yet appeared its completion will be welcomed by historian and philologist alike. The space of this review forbids either statement or discussion of what is the newest and most important part of the introduction, perhaps, indeed, of the entire volume, the theory of the origin and development of the Chronicle and the history of the texts we possess. In regard to the former, "I have no hesitation in declaring," says Mr. Plummer, "that in my opinion the popular answer is in this

case the right one: it is the work of Alfred the Great," written, that is to say, by his order and under his direction, most probably, in the editor's opinion, at Winchester. The ensuing discussion of the history of the texts we have, of their origin, wanderings, and growth, is by far the most complete and ingenious as well as the most consistent and valuable theory which has ever been advanced to account for their characteristics and divergences. Mr. Plummer's long and exhaustive study and high scholarship give him license of which he fully avails himself to speak on this subject as one having authority if not, indeed, as the scribes themselves. The value of such an account by such a scholar is therefore unquestionable, especially in determining the relative value of the different MSS. for different periods. But when he goes further than this and attempts to reconstruct the details of the history of each text, one is forcibly reminded of his own words in his edition of Bede regarding those other great works of constructive historical imagination, Green's *Conquest* and *Making of England*, of which Mr. Plummer has said: "I confess to doubting whether the foundation is strong enough to bear the elaborate superstructure that has been raised upon it. Mr. Green writes as if he had been present at the landing of the Saxons and had watched every stage of their subsequent progress. This certainty is very favorable to picturesque writing. I wish I could feel equally sure it was justified by the quality of the evidence." If one substitutes "writing of the Chronicle" for "landing of the Saxons" in the passage it would seem no unfair criticism of Mr. Plummer's own attitude in his introduction. The editor of the Chronicle stands on firmer ground than the author of the brilliant war correspondence of the Anglo-Saxon invasion, but while admitting to the fullest extent the very great interest and value of such a piece of critical study, it is hard for a layman to accept unreservedly such a circumstantial account of the history of these texts purely on the ground of internal evidence. Of the notes themselves it is hard to speak with any moderation, such is the wealth of material, the breadth of scholarship and the quantity of information in these three hundred pages, and one can do no more than note here the editor's views on certain points around which controversy has raged most hotly. The long discussion of royal genealogies at the outset is most curious and interesting, though it suggests the question whether, after all, it is not the better part not to take too seriously a study which seems to serve only to make the darkness of pre-Chronicle times more visible. Sir Henry Howorth's attempt to substitute a foundation of Wessex by land-expeditions from the East instead of by the five ships of Cerdic and Cynric finds no notice here, though the editor throws another stone on the barrow of the error that Ida was either the conqueror or the first king of Northumbria or that there is evidence that this district was settled by men who came by sea. Brunanburh Mr. Plummer leaves as doubtful as ever, though he seems slightly more inclined to identify it with some place on the west coast of England than with Mr. Stevenson's Brunswark in Dumfriesshire. The statement of the question of English overlordship of Scotland is eminently fair, and

most of us will probably agree with the editor that it has had more attention than it deserved. The discussion over the blinding of the Aetheling Alfred is of great length and interest and attacks Freeman's defence of Godwine rather than Godwine himself, giving the great earl rather a Scotch verdict of not proven, than either condemning or exonerating him. We are spared any recapitulation of the Hastings controversy, though some notice of bibliography would have been useful and certainly not out of place. That no further note on Rollo occurs than a reference to the *Corpus Poeticum Boreale*, and that as an afterthought, while more than a page and a half is given to the story of the three men in a boat who came to King Alfred (to take two instances only), may argue a difference in perspective in the editor and the reviewer; and certain other statements may argue a difference of opinion. But of the learning, the painstaking care, the fairmindedness, the general accuracy of judgment, and the extraordinary diligence shown in these pages there can be no question, and historian and philologist alike must recognize the profound debt of gratitude under which Mr. Plummer has placed them in such an admirable edition of so great a document.

WILBUR C. ABBOTT.

The Troubadours at Home. Their Lives and Personalities, their Songs and their World. By JUSTIN H. SMITH, Professor of Modern History in Dartmouth College. (New York: G. P. Putnam's Sons. 1899. Two vols., pp. xxx, 493; v, 496.)

THESE two volumes form a history of Provençal lyric poetry in the Middle Ages. They discuss forty-nine of the most important Troubadours, with considerable detail, and give a passing mention to as many more. The author has based his work on the latest scientific investigations, has accumulated a bibliography of four hundred and eighty-eight titles, which precedes the text of the first volume, and has supplemented his narrative with explanatory and critical notes to the extent of one hundred and eighty-four pages. These figures are an indication of the care and attention bestowed on the purely scholarly side of the undertaking.

Professor Smith does not stop, however, with a history of literature only. He has in mind another object also, indicated by the title of his work, and intends to furnish his reader with a description of the environment of his poets. For this purpose he employs both picture and pen, and combines the facts which he has acquired by his study of the poems and their authors, with other material gathered during two visits to Provence, in which his camera was a faithful companion. So he tells the story of his tour and his work at the same time, and illustrates both by views of the places where his heroes fought and sang, or reproductions of their costume, their music or their manuscripts. A map at the head of each volume gives the itinerary; from Lyons and Grenoble on the east down the Rhone to the Mediterranean, east to Italy and west to Catalonia, then north through the towns in the basin of the Gironde to Cler-

mont-Ferrand on the Allier and Poitiers on the Clain. Such a direct observation of the surroundings and habitations of the Troubadours lends to their meagre records an illusion of fullness and life. All that remains of them in literature, tradition or nature is brought before us, in a concrete, vitalized form. Even their elusive melodies, often more attractive than the words which they accompanied, may be felt in the transcriptions into modern notation which have been made for this work. Their air is simple, rather plaintive and difficult to retain.

The idea of basing a popular narrative on a scientific foundation cannot be too highly praised. Literature, even on the historical side, is so generally treated from the subjective standpoint entirely that any deviation from the usual road is welcome. Our author is not lacking at all in imagination or invention. But he uses these faculties to piece out and embellish his statistics, not to take the place of facts. The notes indicate all such adornments. We have, then, before us a reliable account of Provençal lyric poetry, expressed in easy and familiar language, and made real by a successful attempt to restore the civilization which produced it. This last statement would naturally have some qualifications, particularly in the opening chapters, where, for instance, Raimbaut de Vaqueiras' modest verse is quite overwhelmed by the repeated allusions to Dante, Petrarch and poets of even a later day. But as the story runs along and gathers volume the references to other writers become less frequent and comparisons are made between the Troubadours themselves.

The translations of the individual poems are in keeping with the general plan of the volumes. Professor Smith does not aim at a literal rendering of word for word in his text—he reserves this exactness for the notes. But he does endeavor to transcribe the spirit of the lines and shows especial care in preserving the rhyme-system of the original, so that his reader may gain an appreciation of Provençal versification. He is also discriminating in his judgment of the part music played in Troubadour poetry, and insists on the irreparable loss which the poems have suffered in the disappearance of their musical setting.

Many fine pages might be cited as characteristic of the work. Among them the reconstitution of medieval Montpellier (I. 137), the personality of Arnaut de Marueilh (I. 143-146), the Albigensian heresy (I., Ch. XXII.), life in Troubadour times (II., Ch. XXXI.), and Bertrand de Born, the knight and the poet (II., Chs. XXXV., XXXVI.). Particularly well interpreted is the Troubadour idea of love, found in the chapter on Pons de Capduelh (II., Ch. XXVIII).

There is hardly a criticism to be passed on Professor Smith's facts. Note 16 to Ch. XXXI., on the entertainment of visiting knights, should show that they were lodged with reputable burghers in the town and not by the lord at his castle. Of the tales woven into the tapestry at Ventadour (II. 159) it is probable that only the story of Tristan and Yseult was popular at the time mentioned.

We think there is more doubt regarding the wisdom of the method of presentation adopted and the arrangement of the material. It is a diffi-

cult task at best to reconstruct a past era. In the present instance this difficulty has been increased by the description of a modern journey and by views of modern towns and medieval ruins. The reason for choosing this plan is obvious; to attract the public at large, and induce it to accept historical truth under guise of an entertaining journal of travel. The genuine student cannot complain, for he is recompensed by a synoptical table of contents which refers to an excellent index. Yet we must confess it took a large part of the narrative to really introduce us to the main purpose of the author, and we are inclined to believe that the other method of writing history "down," instead of backward, is more effectual, and at the same time quite as popular. For instance, the Troubadours' geography is first established by Professor Smith in Volume II. (pp. 20-22), their daily life first sketched—medieval life in general—in Chapter XXXI., likewise in Volume II., their language first explained on pages 175-177 of the same volume, and so on.

The same objection might be urged against the arrangement of the material. Professor Smith starts his tour with the Rhone valley and ends it at Poitiers. But the Rhone valley has not handed down any poet of the first epoch of Provençal literature (see Vol. II. p. 358), and only one good writer, Raimbaut d'Aurenza (II. 359) of the second. Such a way of presenting the subject increases our interest by leading us from the minor authors up to the principal ones, and when we finally reach the earliest Troubadour of them all, William IX., we enjoy the well-prepared climax. But this climax occurs in the next to the last chapter of the second volume, and the plan though dramatic has the serious defect of inverting history.

The self-imposed questions of the origin of art in Provençal poetry, and of its deference to women Professor Smith answers by crediting William IX. with the former and Bernart de Ventadorn with the latter (II. 354, 356-357). William IX. certainly valued an artistic stanza and undoubtedly contributed towards establishing an artistic versification. But it is probable that court poetry—which implies a certain element of art—had existed before William's day, and that his poems alone of their generation have survived because of his rank and his descendants. There is surely no trace of the songs of the people in them. Nor could Bernart de Ventadorn have "established" the fashion of deferring to women. The poet Marcabru, who had left the stage before Bernart entered upon it, complains that the true service of women had fallen away in his time and evil wooing had taken its place. This evidence, of itself, would seem to set the honoring of the sex back into a period antedating Marcabru's activity, much more Bernart's.—The make-up of the volumes is excellent and the index exact and comprehensive.

F. M. WARREN.

The Peasants' Rising and the Lollards. A Collection of Unpublished Documents forming an Appendix to "*England in the Age of Wycliffe.*" Edited by EDGAR POWELL and G. M. TREVELYAN. (London and New York: Longmans, Green and Co. 1899. Pp. xiii, 81.)

THE names of Messrs. Powell and Trevelyan will give a ready reception to any work connected with the rising in 1381. The former hunted out and transcribed these documents in the Public Record Office, while his colleague seems to have attended to the critical apparatus. The introduction contains a brief but good summary of the evidence contained in the documents, which are, for the most part, jury indictments, chiefly concerned with the Revolt, the trial of John Northampton, and the history of the Lollards, 1382-98.

The documents on the Revolt form an important supplement to what has already been published. It is interesting to learn that as early as June 6 and 7, the Rebellion was raging at Dartford (p. 6). That excellent reformer, Bishop Brunton, of Rochester, appears in the rolls as having, on June 12, been insulted and halted by the insurgents between Deptford and London. He bore a message from Tyler to the King; for we learn that he had been summoned to the rebels' camp at Blackheath, where Tyler eloquently represented their grievances, and sent him to tell them to Richard II.¹

The rising of the tenants of Chester Abbey in the Wirral shows how even the remotest districts were infected. Besides Chester, the names of four other religious houses are added to the long list of those injured by the rebels,² further emphasizing a general uprising against the monasteries as an important phase of the revolt. The interesting popular song of the Yorkshire rebels in 1398 (pp. 19-20) is the more noteworthy because of its resemblance to Ball's compositions in 1381.

The inquisitions taken at the trial of John Northampton, Mayor of London for two years following the revolt, are the chief source of our knowledge of the bitter civic conflict in which he was the leading figure. The economic feature of this conflict has, I think, been too little emphasized. It was simply the struggle of the community against the victualers' guilds, which controlled its food supply, a struggle experienced by most other English towns. Against these powerful guilds, which were backed by the crown, Northampton led the people. Even in this hostile testimony he appears in a favorable light, and when we consider how his re-election was forcibly hindered in 1383, the wonder is that he was as moderate. I cannot agree with the editors that in order to curry popular favor he procured the acquittal of the rebel aldermen Syble and Horne.

¹ P. 7; cf. *Eulogium Historiarum sive Temporis* (Rolls Series), III, 352.

² For Chester, see pp. 13-16. Combewell Priory in Kent and Grace Abbey in Middlesex suffered at the hands of insurgents, while the enumeration of the tenants of the Abbess of Malling among the indictments point to difficulties with the peasantry; pp. 3, 10, 17.

The documents relating to the Lollards show the rapid spread of their tenets during the reign of Richard II. and overturn the traditional idea that the King favored them. The most interesting of these documents is an English complaint against John Fox, mayor of Northampton, which reveals a town practically Lollard in defiance of the bishop of Lincoln. It is difficult to see, however, why in a collection of documents hitherto unpublished, the editors should find place for an abbreviated form of three which are fully given in Rymer's *Foedera*, one of them even in the *Patent Rolls*.¹ Nor is there room in such a collection for the two last documents given, which refer to the great schism, and not to Lollardry (pp. 53-54).

The Return as to Foreign Clergy in England, chiefly in 1377, and a valuable table showing the change of personnel in the House of Commons, 1376-1384, complete the work. The former seems incomplete, such dioceses as Durham, Salisbury, Bath and Wells being entirely omitted, while the number of foreigners in most of the others is surprisingly small. I doubt the advisability of using Latin and Old English forms of local names in modern English extracts.

On the whole the volume is a valuable contribution to our knowledge of the later fourteenth century. It is to be regretted, however, that the text of the jury indictments is not oftener given in full. In case of those of 1381 there is constant omission of the names of the jurors, whose attitude can often be established, and is of fundamental importance for the value of the accusation. In one English extract we are told that Walter Tyler, of *Colchester*, and others, were the first disturbers of the peace at Maidstone (p. 9). Confirmed by the statements of other Kentish indictments and of a contemporary chronicle that Tyler was an Essex man, this entry establishes the identity of the chief of the insurrection,² beside throwing light on the influence of John Ball, likewise of Colchester. From other evidence I had already concluded that the latter had for years been preaching and organizing the rebellion from Colchester as a centre, and that to him more than any other man its origin was due. No matter how injured the skin, every word of this precious indictment should have been printed in the original Latin. We should know much more about the revolt in 1381 if there were less of such abbreviated documents in the works of Réville and Powell, as well as in the valuable work now before us.

GEORGE KRIEHN.

The Stones of Paris in History and Letters. By BENJAMIN ELLIS MARTIN and CHARLOTTE M. MARTIN. (New York: Charles Scribner's Sons. 1899. Two vols., pp. x, 269; viii, 292.)

THERE is little in modern Paris which recalls the older town. The baths inclosed in the Cluny museum and the Arena near Rue Monge are

¹ Viz., the order to expel heretics from Oxford, another order to remove Robert Lychlade and others, and instructions to the university relative to a letter of the French king about the schism. Cf. pp. 41, 52-53, with Rymer's *Foedera* (Hague), III. iii., 141; III. iv., 109, 153; *Patent Rolls*, 6 Richard II., 153.

² *Archaeologia Cantiana*, III. 92-93; *Eulogium*, III. 352.

the only monuments left of the Roman occupation. One church of the Romanesque period, three of the early Gothic and two of the later, with certain towers and rooms of the Palais de Justice, are the only representatives of medieval architecture. The fifteenth century is the first epoch in the city's history which has handed down to the present day any considerable number of memorials of its existence, whether in churches, towers, *tournelles*, houses or sections of houses. And these are scattered and quite hidden away among the more pretentious structures of subsequent eras.

But for the archaeologist there are also interesting survivals in the ruins of the famous wall built by Philip Augustus and extended by Étienne Marcel and Charles V. The volumes before us begin with the description of this wall. They follow its windings across the islands of the Seine and along either bank of the river, and join to the story of its way the history of three towers of the fifteenth century which rose near it in the three old quarters of the town. Connected with this tale of stone and mortar is the narrative of the noted people who came and went during the wall's lifetime and the events which occurred within its inclosure.

All the chapters of the work follow the same method. The successive enlargements and reconstructions of the streets and houses of Paris are used as a background for the political, social and intellectual history of the city in the different periods of its growth. The old and new Latin Quarter is described, from the days of Abelard to those of Hugo. The career of Molière and his associates is illustrated by the buildings they knew and occupied, and the haunts they frequented. With the eighteenth century we meet the Encyclopedists, Voltaire and Rousseau. The way of the tumbrils of the Revolution is traced with their loads destined for the guillotine. Napoleon rises and falls, the Restoration and the Romanticists appear. We visit the Paris of Père Goriot and Lucien de Rubempré, as well as the Paris of the Three Musketeers and Jean Valjean. And then, after having been presented to the statesmen and authors of the Third Empire, we are carried back in the concluding chapters of the book to primeval times, and are shown the Marais rising from its swamps, fortified by Charles V., beautified by Francis I. and Henry of Navarre, made the social centre by the salons of the seventeenth and eighteenth centuries, and finally transformed into the factory and storehouse of a commercial age.

The style of the work is slightly obscure at first, but soon becomes clear and forceful. The illustrations which accompany the text are well chosen for the most part. The buildings are pertinent, but the portraits not always to the point, as Marot's and Descartes'. An outline map of the old town with the ramifications of the medieval fortifications would have been a welcome addition, in making the way for the reader plain. The authors have a greater liking perhaps for the material part of their task, the streets and buildings, and are careful and exact in this particular. They are less at home on the literary side, and have sometimes taken tradition and anecdote for history. Their pages on Dante's sojourn

in Paris have no basis in fact. The dramatist Gringore was not patronized by Louis XI., who died before Gringore was ten years of age. The Marais theatre did not exist before 1629, Rabelais' career in Paris is quite unknown, and his writings surely did not have the influence on French style which is attributed to them (I. 93-97), any more than Marot's or Montaigne's. We cite these errors as instances of the inaccuracies which may be found in the chapters on the earlier literature. We might add to them certain personal views of political history, such as the repeated statement that Henrietta of England was poisoned by her husband's creatures, or that Louis XIV. was ruled by Mme. de Maintenon.

But the faults of the work are few, and are quite eclipsed by its merits. There are many unusually good descriptions, for instance, the chapters on life in the Marais, the pages on Chateaubriand and Mme. Récamier, and Balzac's migrations and search for the scenery and setting of his city novels. Slips of the pen are rare: Saint-Germain for Saint-Michel (I. 89), or Pont-Neuf for Pont de Neuilly (I. 97). The index, however, is quite deficient. Some names, as Marot's and De Musset's—and both of these authors are honored with portraits—do not appear in it at all, while others, which recur several times in the text, are allowed but one reference in the index.

F. M. WARREN.

England in the Nineteenth Century. By. C. W. OMAN, Fellow of All Souls' College, Oxford, and Lecturer in History at New College, Oxford. (London: Edward Arnold. New York: Longmans, Green and Co. 1899. Pp. xii, 276.)

MR. OMAN is already well known as an author of clear, concise, accurate and not uninteresting historical text-books for use in schools. This book is another product of the same sort and it will not diminish his reputation in the least. It is unfortunate, however, that his narrative, ending in 1898, has thus lost that most important chapter in British imperial history which is now being written in South Africa. That contest is so fraught with momentous possibilities for England and the English-speaking races that an estimate of England's influence during this century which ends, for Africa, with the Jameson raid and the Fashoda incident seems singularly incomplete and remote. It appears to be certain now that England's contribution even to the nineteenth century will be profoundly affected by the events of the last two years of that century.

Mr. Oman set before himself the task of writing the story of one hundred years of politics within the limits of about two hundred and fifty pages. A handbook of this sort becomes a searching test of the author's power of terse and coherent, yet widely inclusive description. Judged by this standard, Mr. Oman's utterance is a model of comprehensive brevity. The struggle with Bonaparte through the first fifteen years of the century fills about fifty pages. Through as many more pages the approach to the Reform Act of 1832 and the recovery from it are vividly depicted. The Palmerstonian supremacy occupies one chapter,

and the rivalry of Disraeli and Gladstone down to the Reform Act of 1884 fills another. One more chapter is devoted to the Home Rule agitation and the concluding chapter reviews the political relations of England with India and the colonies throughout the century. The final word is a discussion of Imperial Federation, which does not to the author seem impracticable. At the middle of the century the author pauses for retrospect of early Victorian England in a short chapter full of kaleidoscopic condensations. Appendices show the chief members of British cabinets, lists of contemporaneous foreign sovereigns, and statistics of British population and national finance during the century. There is an index sufficiently copious and complete.

In statement of fact this book, as an epitome, is excellent. It is usually careful and it is always lucid. The author possesses indeed the unusual knack of imparting to the ordinary monotony of a rapid chronicle a certain aspect of sprightliness and humor by frequent flashes of character-study and intimate revelations of motive, neatly turned in single phrases. It is perhaps this tendency to enliven the narrative which sometimes betrays the author into a form of expression too hasty or careless. Occasionally an infinitive is ruthlessly sacrificed and crude phrases crop out here and there which might possibly escape the censor in a newspaper office. Thus, "Masséna's last approach to the frontier was stopped dead;" the English ministry was "not prepared to stand in to the bargain" with Nicholas I.; "meanwhile Peel passed (*sic!*) many admirable laws;" "a long spell of exile from office awaited the friends of Home Rule." It is curious that although Lord Goderich is correctly named in the table of ministries he should appear in the index and in the text as "Gooderich." Generally, the narrative shows no color of prejudice, although the author does not conceal his opposition to Mr. Gladstone's junction with the Parnellite party and to the "Home Rule" policy, and he refers to British annexations in the Pacific in these terms: "The main reason of their occupation has always been the activity of our encroaching neighbors, and not our own desire for more coral reefs and atolls." The general reader will, of course, find McCarthy's *History of Our Own Times*, for the period it covers, a much more profitable work to read than this little volume. In comparison with the abridgment of McCarthy's work which has lately appeared in the "Story of the Nations" series, Mr. Oman's book has only the advantage of brevity and compactness in one volume. It is, however, undoubtedly an excellent text-book with which to prepare in the schools for an examination upon recent British political history.

C. H. L.

A History of Italian Unity. Being a Political History of Italy from 1814 to 1871. By BOLTON KING, M.A. (New York: Charles Scribner's Sons. 1899. Two vols., pp. 416, 451.)

By writing an indiscreet preface Mr. King puts his reviewer on the alert. For when a man says he is practically the only English or French

writer who has treated modern Italian history "with much pretence to accuracy or research," we at once reflect that, were this true, it would better become someone else than an unknown candidate for historical honors to proclaim it of himself. After such a beginning, we need not wonder at the further boast that he has "had recourse to almost all the published matter of any importance (nearly 900 works in all) except (a) contemporary journals as a rule, and (b) some literature out of print and not to be seen in England." A man who thus regards himself as both pioneer and paragon in this field of history can hardly care what humble critics think of him; nevertheless, it is our duty to say that Mr. King neither deserves the pioneer's laurel with which he has crowned himself nor does his bibliography contain "almost all the published matter of any importance." A glance at it shows the omission of at least fifty works, some of which possess greater historical value than those Mr. King cites, and of hundreds of pamphlets. Mr. King makes no distinction between large and small books. The novice would never suspect, for instance, that Settembrini's *Protesta* is a mere pamphlet of fifty pages, its title being printed in the same type as Brofferio's 4000-page *Storia del Parlamento Subalpino*. As an illustration of Mr. King's candor we find that he passes over in silence the excellent six-volume edition in English of Mazzini's *Works*, in order to mention a slight volume of selections from Mazzini to which Mr. Bolton King furnished an introduction! A little further inspection discloses the fact that Mr. King has omitted the titles of all English and American works bearing on this field, with the exception of Countess Cesaresco's *Italian Characters*, and yet her *Liberation of Italy*—not to speak of other works—has value which Mr. King's history lacks.

To the American student of history, however, Mr. King's unpardonable sin must be his ignorance of German. Imagine an Oxford graduate at this late day unable to read German, who yet boldly assumes to be the master historian of an epoch in recent European history for parts of which a knowledge of German is indispensable! Down to 1861 he might get along well enough with French and Italian, but how can a historian, who makes such a public "pretence to accuracy and research," follow all sides of the relations between Italy and Prussia from 1861 to 1870, including the alliance of 1866, without knowing German? Would Mr. King bestow any leaf of his laurels on a German who should undertake to write a history of the Home Rule agitation with a reading knowledge of only French and Italian? But for this astonishing defect in education, Mr. King would be aware that a German named Reuchlin has treated the history of Italy from 1814 to 1870 with great accuracy, patient research and more detail than Mr. King himself uses; can it be that the British Museum does not possess Reuchlin's three volumes, the last of which appeared in 1873? And since a large part of Italy's struggle for independence concerns Austria, would it not be well for the historian to know German in order to acquaint himself with the Austrian point of view?

Coming now to the work itself, we soon discover that it does not belong to the class of histories which rank as literature. It has the hard-

ness of texture which characterizes most manuals and departmental reports. Its merits are an evident purpose to be just and the most painstaking diligence. Although Mr. King disavows the intention of writing more than a political history, he gives considerable space to social and economic details, being especially addicted to statistics. He analyzes patiently, and much more minutely than they require, the ephemeral constitutions, and the official acts of ephemeral legislatures. But to convey in words the impression of the great tidal wave of emotion and passion which swept over Italy after the election of Pius IX. and culminated in the revolution of 1848 lies far beyond his reach. In general he sets down the facts in proper order; but the spirit which animated the Italians seems to have vanished. Now, no history can be true, unless it reproduces the spirit of the time with which it deals; in the Italian struggle the romantic element often predominated; and no amount of statistics or economic facts or analysis of fleeting legislation can reproduce the romance. We take the revolution of 1848 as a test, because according as an historian treats it, he discloses his ability to cope with the entire period. Mr. King may feel, but he fails to make his readers feel, the sweep and glow of that movement. He seems never to have visited Italy—a fatal disadvantage.

At other points where we have examined him, we find the letter duly recorded but the spirit wanting. He occasionally has an inkling of Cavour's greatness, but the student who knew Cavour solely from Mr. King's pages, might be excused for wondering where his greatness came in. "Inadequate," we say of his brief review of Cavour's early life; "inadequate," we repeat of the account of the diplomacy before the war of 1859; "inadequate" we say again of the story of the political difficulties during Garibaldi's Sicilian expedition. But possibly Mr. King, after further consideration, may revise some of his opinions about Cavour; he has already done so at several points since he printed his essay on Mazzini a few years ago. His opinions, whether of men or measures, lack the stamp of finality.

In spite of Mr. King's "accuracy and research," his book contains many slips, some evidently merely typographical, others due to the author's inaccuracy. But what has troubled the present reviewer more than incorrect dates and misquotations—more even than Mr. King's habit of reporting what Metternich or Cavour or Victor Emanuel said, without giving his source—is the style in which he writes. Who can be expected to read with pleasure 850 pages of this sort of rhetoric: "Austria, indeed, permitted herself the luxury of a persecution, infamous even among her own state-trials, and sent Confalonieri (his life saved by his wife's heroic importunacy) and many another of his comrades to the Moravian fortress-prison of the Spielberg, where the Emperor Francis played with his victims like a cat with maimed birds, and whose horrors Pellico's pen has made the symbol of Austrian cruelty" (I. 37-38). A little before (I. 30) we find *was* or *were* used 17 times on a single page; a little later (I. 46) they appear 14 times. In war it may be good tactics to make

your auxiliaries do all the fighting, but in literary composition this method results in dullness. We hold that to-day the first duty of historical writers should be to present their material in good literary form. A man may "have recourse" to 900 or 9000 works without qualifying himself for writing. In strict accuracy, for instance, would a clear writer have entitled this very book "*A History of Italian Unity*," when Italian Unity began only after the occupation of Rome by the King, the date at which Mr. King's history ends?

WILLIAM ROSCOE THAYER.

The Life of Prince Bismarck. By WILLIAM JACKS. (Glasgow : James Maclehose and Sons. 1899. Pp. xvi, 512.)

Le Prince de Bismarck. Par CHARLES ANDLER. (Paris : Georges Bellais. 1899. Pp. x, 402).

THE national hero of the military type is usually the subject of a variety of inadequate biographies. For the prominence of spectacular features in such a career awakens an impulse in a host of men to attempt that which is beyond the strength of all but the greatest. Prince Bismarck proves no exception to the rule, and the latest work upon him is open to two general objections. Conceived in a spirit of admiration for services rendered, natural enough in a German, but curious in a Briton, it reflects the uncritical opinions of the common man. The latter, because of the smallness of his stature, is at a disadvantage in any effort to appreciate his greater brother. When the line of upward vision makes a sharp angle with the perpendicular, the power to correctly estimate relations and proportions is gone. In this case there are repeated all the half-legendary conceptions concerning the great issues. For example, the French Cabinet, supported by papal and court influences, is represented after 1866 as resolved upon war, no hint being given of the changes in its membership, or the fluctuations of policy on the part of the Emperor and his advisers.

Again the story of the Hohenzollern candidacy and the events leading up to the final rupture is told in such a way as to reproduce the naïve impression common among the Germans at the time. Corrections made by later additions to our knowledge are left out of account, apart from the incident of the Ems despatch and Bismarck's connection with it, which is told in full.

The second general fault is that, much as the giant's strength and cleverness, his wit and sarcasm, his readiness and far-sightedness are dwelt upon, none of these things are actually seen or felt by the reader. There is no clear-cut presentation of the political issues, and the extraordinary simplicity and directness of Bismarck's methods of meeting them. This is the more remarkable because the account of his political career is mainly composed of extracts from his letters and speeches from the time of the meeting of the Prussian United Diet in 1847 down to the organization of the Reichstag in 1871. The intention is that the man should

reveal himself, but the selections do not serve this purpose, because the translation lacks vigor and incisiveness, while the connecting narrative is frequently partial and not to the point.

Errors of statement are noticeable here and there. One which should be mentioned because it is so frequently repeated is that the Swabian branch of the Hohenzollern family is the younger. On the contrary, the Frankish line from which the Prussian royal family is descended is the younger.

For his study of Prince Bismarck, M. Andler has read copiously and makes good use of his material in the exposition of the administrative reorganization and legislative innovations which have been formulated under the imperial régime. But in the field of international politics his method, which is that of comment rather than of exposition or narration, does not show to advantage. What stands out prominently in this portion of his book, especially when French interests or sympathies come into view, is not his copious reading, but the evidence that he listens credulously and reasons speciously.

For example, the districts of the Old Mark, where Bismarck was born, and Naugard, where he spent most of the years of his youth, are not typical of the respective provinces of Brandenburg and Pomerania, as the author would have us believe. The former province, a sandy country where little grain is grown, the home of an arrogant nobility which supplies the state with army officers and civil officials, is alleged to have endowed Bismarck with one set of qualities; the latter, a region of alluvial soil, the stronghold of aristocrats who are primarily agriculturists and therefore agrarians in politics, to have equipped him with another set. Whatever Bismarck derived from the places of his birth and education, no such classification of the provinces as this is possible. The Oder River, the chief source of the alluvial deposits referred to, covers in its windings a course twice as long in eastern Brandenburg as it does in Pomerania. And neither of these nor the provinces of East and West Prussia can be regarded in any exclusive sense as the home of agrarianism or the breeding-ground of Prussian officialdom.

In his comment upon Bismarck's conduct during the Franco-Prussian war, M. Andler leans almost entirely upon Busch, but his citations do not support his charge of "violent explosions," "blind manifestations and unheard-of-cruelty."

It is however in his discussion of the events which led up to the war that the author relies most upon himself. He admits the restraint shown by the North German Confederation towards the southern states after the downfall of Austria, and the willingness to give Bavaria all the time she wanted to make up her mind that the policy of union was for her own best interest, and yet ventures the unsupported assertion that the war with France was resolved upon by Bismarck, when a hostile majority in the Bavarian Diet overthrew in 1869 the Hohenlohe ministry which favored a closer union. With that sweeping declaration as a point of departure, everything else is easy. There is no difficulty thereafter in

making Bismarck responsible for the "odious intrigue" of the Hohenzollern candidacy. It was merely a "hypocritical pretext" on the part of the Prussian Foreign Office to declare that the affair was outside of its province, and concerned the King alone as head of the dynasty. Then followed in the summer of 1870 the retirement of Bismarck to Varzin, the order to Baron Werther to leave Paris, the sending of the King to Ems. Thither the French ambassador, refused information elsewhere, was compelled to follow him, to be lured into a false position and that false position touched in the despatches of Abeken in such a way as to exasperate French sensibilities. Surely a most elaborate contrivance with which to procure the bloody cement required for fastening the parts of a dismembered nation. But how did it happen that Bismarck set it in operation at a particular time unless he foresaw that the Spanish crisis would become acute at the same moment? And if he foresaw, what superhuman power had come to his aid? And how came it that a workman so practical, so unvisionary, staked everything, his country's fortune and his own, upon the working of a scheme so intricate and so loosely put together that it might break down at any moment? These obstacles to the acceptance of his view M. Andler does nothing to clear away.

Select Charters and Other Documents Illustrative of American History, 1606-1775. Edited with Notes by WILLIAM MACDONALD, Professor of History and Political Science in Bowdoin College. (New York: The Macmillan Co. 1899. Pp. ix, 401.)

IN 1898 Professor MacDonald published a volume of *Select Documents of United States History*, beginning with the Declaration of Independence and closing with the Constitution of the Confederate States, 1861. The present volume is constructed upon the same general plan; it begins with the Charter of Virginia, 1606, and ends with the Act prohibiting Trade, December, 1775. The two volumes together cover the entire period of our colonial and national history to the Civil War. In the present volume are eighty documents in all. They are arranged in strict chronological order. The first forty-five articles end with the Treaty of Ryswick, 1697. In this list a very large proportion of the documents are charters. More than two-thirds of them may be found in Poore's *Charters and Constitutions*. Besides the colonial charters there are various other documents, such as the Charter of Privileges to Patroons in the Dutch settlement of New York, 1629, the Fundamental Articles of New Haven, the Maryland Toleration Act, and the various Navigation Acts. Mr. MacDonald calls attention in his preface to the scarcity of historical materials for the first half of the eighteenth century. From 1701 to 1762 he finds only seven documents suited to his purpose; beginning with 1762 and extending to the breaking out of the Revolutionary War, nearly all of the papers selected have reference to the controversy between England and her colonies. The entire space of the book is occupied with the text of the docu-

ments, save about a half-page of notes and bibliographical references introducing each one. There are very few footnotes. The notes contain a brief and clear statement of the nature of the document and the circumstances under which it was given. In a very large proportion of the papers there are considerable omissions. In some instances the character of the omission is indicated in brackets. The second charter of Virginia, 1609, contains several pages of names of citizens of the various classes and noblemen who constitute the corporators; in the place of these names there is a footnote indicating the numbers of the various classes. In such a case as this the note is much more convenient and expressive than would be the names of the persons, and there certainly is a great economy of space. But in the same charter there is an omission of a portion of the document which explicitly requires the government in Virginia organized under the first charter to surrender its authority into the hands of the governor provided for in the second charter, and there is nothing whatever to indicate the character of this omission. One may learn from the context that the new government was to be organized under the authority of the governor, but the omitted part, it would seem, is very closely related to the characteristic features of the charter. A very large portion of the omissions, however, are unimportant in themselves. Comparing this volume with the earlier volume, it presents much more the air of completeness. It contains more nearly all the documents which the ordinary reader would expect to find. The two volumes are of especial use to readers deprived of library accommodations. They are convenient however for any reader, because the material is placed in form for easy reference.

JESSE MACY.

The Dutch and Quaker Colonies in America. By JOHN FISKE. (Boston: Houghton, Mifflin and Co. 1899. Pp. xvi, 294; xvi, 400.)

THE general character of this work is what might have been expected by those who know Mr. Fiske's previous writings on American history. It is one of those books which occupy a position intermediate between the popular manual and the full history with all its critical appliances and scholarly methods.

Such a work is exposed to special temptations and dangers. The writer has to avoid the brevity and dryness of a manual without feeling to the full the restraints and obligations of the serious historian. With difficulty can he rid himself of the poorer literary conventions of his day; his style is apt to resemble that of the journalist. It cannot be said that Mr. Fiske has triumphed over these difficulties. His style lacks the emphasis which comes of self-restraint. He is at his worst, as is the wont of such writers, when he aims at being sportive or picturesque. His rhetoric is too often of the cheap and well-worn finery of the penny-a-liner. Underhill, the disreputable soldier of fortune who played a conspicuous part in New England history and strove so strangely and so unsuccessfully

to adapt himself to the surrounding atmosphere of Puritanism is "a gay Lothario." The servants of a tyrannical governor are his "myrmidons." It argues I think no exaggerated value for the dignity of history to be somewhat repelled when one meets with such a travesty of Carlyle as the following footnote (II. 216): "Oh no; good irate governor, very far from immaterial; if it were really of no importance why this ruffled temper, why so much asperity and gall; the bill provided for the election of rectors by the churchwardens and vestrymen, the amendment providing that they must be collated by the governor. No one but Mr. Toots would say, 'It's of no consequence, thank you.'" "The style is the man," and it seems to me that the blemishes which I have cited are the outward and visible sign of a certain lack of originality and power, not atoned for by a literary faculty nourished on the best models. And surely the resources of the English language are not so poor that they need to be eked out by such an abominable invention as "pivotal."

But to say all this is not to deny that Mr. Fiske's book has real and solid merit. It is evident that in his general conceptions of history he is a disciple of Freeman and he has absorbed not a little that is good in the teaching of his master. Throughout he applies clear, definite, common-sense principles of evidence to the ascertainment of fact. I occasionally myself should dissent from his conclusions. It seems to me for example that his view of Leisler's aims and character errs on the side of charity; that Leisler was more of an unscrupulous self-seeker, less of a patriotic fanatic than Mr. Fiske thinks him. But that is fair matter of controversy and Mr. Fiske lays the whole matter plainly and honestly before his readers. If he is somewhat blind to what I would call the literary obligations and graces of history, he is never forgetful of its moral obligations nor of its conventions of good breeding. He is obviously anxious to deal in a judicial spirit with all the issues brought before him, with a leaning to the side of mercy, and he is always hearty in his recognition of the labors of others. Workers in the same field are in his eye colleagues, not rivals. He is generously appreciative in his reference to a predecessor in the field of New York history, Brodhead, a writer who only needed more sense of proportion and a style more condensed, relieved, and emphatic to take very high rank among American historians. Twice only does Mr. Fiske fall into anything like an attitude of controversy, and most readers will think that in each case there is ample justification. As befits a disciple of Freeman, Mr. Fiske's wrath is roused by Lord Sherbrooke's well known dictum that the battle of Marathon was a small event because fewer men were killed there than in a good-sized colliery explosion. No one trained in colonial history, where everything lies in duly understanding the day of small things, is likely to commit or to tolerate that error.

Again Mr. Fiske uses his opportunities to demolish, though with no ill temper or discourtesy, that strange fabric of delusion so elaborately built up by Mr. Douglas Campbell, a writer who held that Holland was the parent of everything good in the United States and that England was

an evil root, from which only bitter fruit, morally and politically, could grow.

Mr. Fiske's works on the more controversial portions of American history show what this book confirms, that he has learnt a lesson sometimes concealed from historians of more pretensions; the truth that individual men are better and worse than the systems which they represent, that the wise and honest have often been on that which history must pronounce the wrong side, just as the best cause has its admixture of fools and knaves among its followers.

Mr. Fiske's present work falls into two main divisions: firstly, the history of New York, which is again subdivided into the Dutch colonization of New Netherlands, and the history of the colony after the English conquest under its new masters; secondly, the history of the English colonies which occupied the territory between New York and Maryland, and which owed their existence, mainly though not wholly, to Quaker influence.

In many respects the two sets of colonies were widely contrasted. Not one of those North American colonies which ultimately became the United States owed its existence less to motives of principle, to motives into which either political or religious conviction entered, than New Netherlands. The colony was in the conception of its founders and its early rulers a trading factory rather than an industrial community. Pennsylvania on the other hand was the creation of religious enthusiasm, the work of one who was indeed in a sense a statesman but with whom political motives were throughout subordinate to spiritual issues. And yet with all this essential difference there were strong points of likeness. New York was cosmopolitan because a community of traders readily opened its arms to men of all nationalities and creeds. Pennsylvania was cosmopolitan because its founder repudiated all visible tests and clung to the spiritual brotherhood of all men as the central truth of life. Thus the Middle colonies stood definitely separated from the Puritan states to the North and from the slave-holding planters to the South. To speak of the New England colonies as states may be technically an anachronism but no other term does justice to their life, compact, concentrated and detached. They were oligarchies of creed as the Southern colonies were oligarchies of color, each exclusive and self-reliant. So far as an oligarchy could spring up in the Middle colonies it was an oligarchy of wealth. And this likeness of condition, marking off these colonies from their neighbors, gave a certain common character to the part which the communities on Delaware Bay or in the valley of the Hudson have played in the national life. Both have been more largely swayed by material aims, than abstract principles. Those ideas which have determined the course of national thought whether in the world of politics or the world of moral speculation have for the most part found their home elsewhere.

In another respect the conquest of New York and the settlement of Delaware Bay and the valley of the Susquehanna may be looked on as a

single movement. It completed the British occupation of the Atlantic sea-board. The English colonies might be hemmed in by an enemy holding the valleys of the Mississippi, the Ohio and the St. Lawrence. They were no longer in danger of being cut asunder save by invasion and armed occupation.

But the parts played by the two colonies as links in the chain of defence differed widely. New York was in the main a source of strength to the menaced colonies of New England. The one invaluable legacy which the rulers of New Netherlands bequeathed to their conquerors and successors was the friendship of the Five Nations. New York, largely dependent on the fur-trade, was too deeply interested in the secure occupation of the Western Highlands and the upper valley of the Hudson, to be lethargic or lukewarm.

On the other hand Pennsylvania was the weak point in the English chain of defence. Mr. Roosevelt in the first volume of *The Winning of the West* has pointed out how Penn's Indian policy, admirable in conception, bequeathed a fatal legacy of weakness to his successors, resulting as is the wont of weakness in cruelty. A humanitarian and optimistic policy shutting its eyes to plain facts and ignoring obvious dangers, was over and over again rudely broken by some deed of unauthorized violence. And Parkman has pointed out how the traditions of Penn too often furnished later rulers and citizens of Pennsylvania with a decent pretext for a cowardly and selfish indifference to the interest of the sister colonies.

The great central interest of the colonial history of New York lies in the process whereby a Dutch colony gradually put on forms of life largely English. It seems to me that Mr. Fiske hardly feels the pressure of this question and hardly answers it adequately. Yet if he does not attempt to solve it directly and formally we may find in his book an implicit answer which covers much of the ground. During the twenty years which preceded the English conquest, a quiet process of Anglicizing the colony had been going on. Small settlements from New England gradually established themselves on Dutch territory. Two influences worked to help this. The personal character of the Dutch governor, Stuyvesant, an austere, self-restrained disciplinarian, had more in common with New Englanders than with his own people. Again the purely commercial character of New Netherlands had invested it with that strange cosmopolitanism which it has never lost. New Amsterdam was, as Mr. Fiske reminds us, a city in whose streets "a dozen or fifteen" languages were spoken. Thus a weak and ill-defined type of national character was brought into competition with a singularly definite and concentrated one.

To work out in detail the process of change would be an interesting and a not unprofitable task. Kalm, the Swedish traveller, has a *locus classicus* on the subject which I am surprised that Mr. Fiske should not have noticed. Kalm visited New York in 1748. He says that most of the settlers, "especially the old people, speak their mother tongue."

"They begin however," he goes on to say, "by degrees to change their manners and opinions, chiefly indeed in the town and in its

neighborhood; for most of the young people now speak principally English and go only to the English church; and would even take it amiss if they were called Dutchmen and not Englishmen."

Mr. Fiske devotes what might seem to some a rather disproportionate amount of space to the career of Penn before he took up the task of colonization. Considering the extent of Penn's personal influence on his colony I am not inclined to take exception. But it seems to me that Mr. Fiske hardly perceives the close similarity and intimate relation between Penn the religious thinker and Penn the politician and colonist. Penn's religious writings show that he really did attain to that conviction, so often professed, so seldom held as a practical working principle, that all creeds and dogmas are as trifles compared with righteousness of life, not as embodied in external action, but as resting on loyal submission to the will of God. And as Penn was indifferent to system in religion so was he in politics. He would have willingly subscribed to both articles of the eighteenth-century creed, religious and political, and declared that "the best administered must be the best," as well as that "he can't be wrong whose life is in the right."

This in a great measure was the secret of his alliance with James II. The career and the downfall of the last Stuart king is unintelligible unless we clearly grasp the truth that in his eyes it was wholly unreasonable for subjects to ask for any security over and above the good will and good intentions of their ruler. Penn's conceptions of the duties of a ruler were far higher and more enlightened than those of his patron. But the same fallacy ran through them, and to all demands by his colonists for the protection of constitutional machinery his answer virtually was "no protection can be needed against me, since my objects and interests are identical with yours." And thus while Penn was brilliantly successful in founding a colony imbued with certain definite ideas and principles, his subsequent career as an administrator was a failure.

The life of the Middle colonies lacks the interest which attaches to their neighbors on the North and the South. There is none of that marvellous power of creating and adopting political institutions which belongs to the virtually autonomous communities of New England. There is not that varied and attractive development of individual character which was called out by the conditions of Southern life. Yet the Middle colonies had their part to play and not an unimportant one. The fusion of bodies differing so widely as did the Puritan colonies of the North from the slave-holding colonies of the South was made possible by the addition of a third element having something in common with each. The social and economical methods of life in New Jersey and Pennsylvania and in the rural parts of New York had more in common with the yeoman system of New England than with the *latifundia* of the South. On the other hand the city of New York had in its hereditary oligarchy of wealthy merchants a class much akin to the planters of Maryland, Virginia and South Carolina and even more to the merchants of Charleston. The Middle colonies were fitted by their character and antecedents to play that

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part which their geographical position seemed plainly to demand. Their establishment under English rule was a needful step toward national union.¹

JOHN A. DOYLE.

Religion under the Barons of Baltimore, Being a Sketch of Ecclesiastical Affairs from the Founding of the Maryland Colony in 1634 to the formal Establishment of the Church of England in 1692, with special reference to the claim that Maryland was founded by Roman Catholics as the Seed-Plot of Religious Liberty. By C. ERNEST SMITH, D.D., Rector of the Church of St. Michael and All Angels, Baltimore. (Baltimore: E. A. Lysett. 1899. Pp. xii, 379.)

DR. SMITH having, as it seems, recently devoted himself to the study of Maryland history, has discovered that a remarkable mythus prevails, not among Marylanders only, but in quarters that should be better informed. He finds, to his surprise and pain, a wide-spread belief that George and Cecilius Calvert were wise, liberal-minded and sincere men; that both had it at heart to provide in the western world a refuge for their fellow-believers; that Cecilius established in Maryland the policy of religious toleration which was maintained so long as the proprietary government had control; and that, upon the whole, these are things to look back to with satisfaction.

His studies have led him to the conclusion that George Calvert was a double hypocrite, pretending to be a Protestant when he was secretly a member of the Church of Rome, and pretending to be a Catholic when he was but half a Catholic, if that; that Cecilius was a shrewd and selfish politician whose single aim was to make money out of his colony; and that the famous Toleration Act of 1649 was "really a most disgraceful piece of intolerance," "a disgrace to the statute-book." These conclusions, he intimates, have been forced upon him against his will, but "the facts have conquered him," and only zeal for the truth forces him to the "ungraceful duty" of destroying a pleasing illusion.

This ingenuousness, the number of references to authorities, and his easy and masterful way of dealing with them, will probably seem imposing to readers who go no farther than his pages, and to whom "Neill" or "Anderson" carries as much weight as the Council Journal or the State Papers.

Dr. Smith is not alone among historians in believing that to cite another writer as asserting a thing is tantamount to proving it; that an

¹ A competent correspondent has pointed out to Mr. Doyle and to the managing editor that the Indians of Manhattan Island were not "a part of the great Lenni-Lenapé confederacy, afterwards known as Delawares" (Fiske, I. 120); that the Indians of the Delaware River and the lower Hudson had not become tributary to the Iroquois in 1640 (I. 177); that the first newspaper in Philadelphia (1719) was *The American Weekly Mercury*, not *The American* (II. 249 n.); and that Andrew Hamilton was not a Quaker (II. 254, 255).

author who holds the same opinion as himself is trustworthy, and *vice versa*; and that a conclusion that is strongly borne in upon his mind has the force of a demonstration and gives a plastic quality to facts.

Thus, having evolved from his inner consciousness the fact that George Calvert was a Roman Catholic long before he declared himself one, he further tells us that even had he been disposed to provide a refuge for Catholics, there was no need for it. In these years (1622-1627) a reaction, he tells us, had taken place, and "the Roman faith was becoming fashionable." There were persecuting laws on the statute-books, but they were not enforced, and the Catholics were as free from molestation as they are now. To prove it, he refers to "Neill" and "Joshua F. Polk." But if he had chosen to go to the State Papers for these years, he would have seen commissions to arrest priests and recusants, petitions that more thorough search might be made, and complaints that the prisons were already overcrowded with papists, which tell another tale. Indeed he tells us himself that Calvert in 1622 was "sending his own co-religionists to prison" because they would not feign Protestantism as he had done.

The limits of this paper allow me but two or three out of many instances of this author's peculiar way of "being conquered by the facts."

He tells us that George Calvert in Avalon was more absolute than the King, his charter empowering him to rule without a parliament or council. If he had read that charter more carefully, he would have seen that it provides expressly for a parliament of freeholders whose assent shall be necessary to laws, and makes the same provision for a council as does the Maryland charter.

He tells us, giving "Fisher" as his authority, that no charter ever given by an English king, except that of Maryland, contained a perpetual exemption from taxation by the crown. Yet the charter of Avalon was before him, containing identically the same exemption, with the same privilege of pleading the declaration of the charter in the courts.

He informs us that the charter of Avalon was "feudal," while that of Maryland was not so, and that this difference rendered it necessary that the Marylanders should be expressly declared "denizens and lieges" of the King, which was unnecessary in the case of the Avalonians; and further, that this "restricting clause" was inserted in the Maryland charter to tie the hands of Cecilus. But the tenth section of the Maryland charter is virtually a copy of that of Avalon, the "natives and liege-men of us" in the Maryland charter corresponding to the "denizens and lieges of us" in the other; and Dr. Smith, in drawing the distinction on which he lays so much stress, has quoted the section of the Avalon charter as that of Maryland!

He asserts that Cecilus by the terms of his charter was prevented from leaving England, being obliged every year "to appear personally at Windsor, bringing his Indian arrows [his rent] with him, and prepared to give an account of his stewardship." A little more careful reading of the document would have shown him that there was no

stewardship to be accounted for, and no obligation of personal attendance; and in the collections of the Maryland Historical Society he might have seen the original receipts showing that the payment was made by deputy.

On page 181 he tells us that "In July [1634] the King told Baltimore that it was contrary to justice to dispossess Clayborne and his colonists of their lands." But upon examination this turns out to be a letter of the Council to Governor Harvey, containing no mention of Baltimore or Claiborne, explaining that there was no intention of invading private rights, that men "might enjoy their estates with the same freedom as they did before the recalling of the charter." Of course this did not include Claiborne, who had no grant of land from any source. In this connection he takes care to tell us that the King wrote forbidding Baltimore to molest the people on Kent Island, but omits to mention that the Privy Council afterwards explain that the letter "was grounded upon misinformation, by supposing that the said [Claiborne's] commission warranted the plantations in the isle of Kent, which, as now appears, it did not."

I do not discuss Dr. Smith's main thesis, which he leaves, as he found it, a matter of opinion. I have no doubt that he is as fully convinced of the truth, as he is of the importance, of his own views; but I do not think his methods of reasoning likely to convince the judgment of any reader, nor do I perceive that he has added anything to the sum of human knowledge.

WILLIAM HAND BROWNE.

The Many-Sided Franklin. By PAUL LEICESTER FORD. (New York: The Century Co. 1899. Pp. xx, 516.)

THIS volume is a reprint of twelve articles, under the same title, which appeared in the *Century Magazine* during the year 1898. Persons most familiar with the life and times of Dr. Franklin and all who, less familiar with the subject, enjoy an interesting book, will wish that each chapter was longer and that there were more chapters. Mr. Ford has touched Franklin before, and very gracefully, in the well-known edition of *Poor Richard* which may be found among the "Knickerbocker Nuggets." Few men of Mr. Ford's age are so familiar with our colonial history. He has touched nothing that he has not illuminated. His edition of Jefferson's writings, and of the *Federalist*; of pamphlets and papers illustrating the period of the formation of the Constitution; his critical essays and his novels all show the hand of the master. *The Many-Sided Franklin* abounds with proof that his hand has not lost its cunning.

It is now customary to reprint magazine serials in neat and pleasing volumes, and no magazine or publishing house surpasses *The Century* in wise selection, or style of reproduction. Mr. Ford has made an interesting book, and publisher and illustrators have adequately met the demands of his theme.

Only a brave and panoplied writer would presume, in these days, to offer a new book on Franklin. Of books about him there is no end, and

the presses are ever groaning under the weight of his name. In later years, his name has been an excuse for the publication of some very questionable books, one or two of which, clothed in flaming dress, have pandered to men's lower nature. We may soon expect "The False Benjamin Franklin" in title, as we have long had it in substance. Mr. Ford is familiar with his theme. He inherits certain neighborly privileges with Franklin and now admits the world to their enjoyment. The distinctive feature of *The Many-Sided Franklin* is the wealth of its illustration, derived principally from these sources: the American Philosophical Society, founded by Franklin and the depository of the most valuable part of his manuscripts; the Historical Society of Pennsylvania; Mr. Ford's library; the Library of Congress; and Mr. Ford's friends and acquaintances. If Mr. Ford had not inserted pictures and fac-similes, his work would rank high, because of its style and information; the reproduction of Franklin's surroundings imparts dramatic qualities to the book. It is a nice piece of staging.

Mr. Ford portrays Dr. Franklin as an institution, touching on his "Family Relations," "Physique: Theories and Appetites," "Education," "Religion," "Printer and Publisher," "Writer and Journalist," "Relations with the Fair Sex," "Jack of All Trades," "The Scientist," "The Humorist," "Politician and Diplomatist," and "Social Life." The illustrations are about one hundred and fifty in number, and are carefully listed. The book is the first study of Franklin not disfigured by imaginary sketches. It is a fine piece of realism. It does not bring Franklin nearer us but brings us nearer Franklin. We are suffered to look over his shoulder while he writes; to stand by his side while he experiments; to sit near while he tells a neat story; and to listen to his conversation with his friends. We peep into his ledger and watch him refine his bagatelles. If we may compliment ourselves into Ariels, and certainly Mr. Ford gives us wings, we may fly over sea and, secure in our oblivion, observe the great man in his daily life at Passy, or earlier, in Craven street. We handle Franklin's pamphlets and books; we even go to press and issue forth from Franklin's shop to inform and amuse the world. No biographer of Franklin has done us this service before. And yet, Mr. Ford does not set up as Franklin's biographer—though well he might. From the abundance of his heart he merely speaks of twelve sides of Franklin; twelve aspects of the best known man in American history.

Mr. Ford's sense of humor makes up the salt of the book. We can imagine with what relish he turns to original manuscripts and the original Franklin and with them confronts the spirit of Matthew Arnold, and another yet this side Lethe, with the paraphrase of Job. It is a most delicate humor that can see the humorous in a misapprehension of humor. Again, in the matter of the celebrated letter to Strahan, which for years has gone the rounds of biographies and text-books, as a fine example of patriotism, Mr. Ford admits all to the secret that, like some other famous letters, this was never sent. The critical scholar will find here the im-

portant part of that letter to Dr. Price apologizing for the vestige of a religious test exacted from members of assembly in Pennsylvania, under the constitution of 1776-7. He may search editions of Franklin's works in vain for this letter—one of the unique and startlingly liberal utterances of the time.

The requirements of a magazine fixed the length if not the scope of the several chapters. The effect is a spatial equivalence which doubtless would not have been observed had the work been written originally for publication in book form. The chapters though of equal length are not of equal importance, and, it may be said, not of equal strength. Mr. Ford has done better, for instance, in the chapter on Franklin as "Printer and Publisher," than as "Politician and Diplomatist." Indeed, we regret that Mr. Ford has not given us the politician and diplomatist in stronger lines. Here the book hurries over much ground with light feet. Doubtless Mr. Ford weighed the subject carefully and decided that within the limits which he set for himself he would treat Franklin's politics and diplomacy in a respectable fashion but not enter into disproportionate discussion of the prolific theme. If this was the author's decision, it is to be commended as the true one for a book of this kind. It is presumable that the author of *The Honorable Peter Sterling* would have keen insight into Franklin's notions of government, and would be able to portray in masterly style that diplomatic career as yet the most distinguished in our annals. The chapter on "Politician and Diplomatist" shows both the strength and the weakness of a book of this order; it recites the interesting incidents of great moment, in Franklin's political and diplomatic life, but with so much isolation of incidents as to fail to awaken the interest of the ill-informed reader, and to fail to satisfy the well-informed. A like criticism may be made of the chapter on Franklin as "The Scientist." Yet it should be said that an equally vivid portrayal of Franklin as scientist, politician or diplomatist will not be found, at the same time brief and comprehensive, in any other book.

Some readers of Mr. Ford will be puzzled in their attempt to associate Franklin with some of the personages whose portraits are given. Perhaps there are two dozen such personages. All the portraits are fine and with few exceptions, are of noted persons, but the brevity of the text excludes an account of their part in Franklin's life. This superabundance of illustration gives the book a touch of antiquarianism which will be far from unpleasant to critical readers; but this evident trail of the bibliophile leads us to private collections of private letters interleaved with rare old prints, and Mr. Ford is under suspicion here, of admitting the public to a glimpse of his own treasures. We miss the faces of Hume and Adam Smith, though Mr. Ford gives us the faces of Thomas and Lady Juliana Penn. Here the antiquarian puts the historian to flight, but we must remember that Mr. Ford is illustrating an epoch as well as a many-sided man.

The book is remarkably free from typographical slips. Mr. Ford may have authority for placing the church of Zion and St. Michael at

the corner of Fourth and Cheney Streets, instead of Fourth and Cherry Streets, Philadelphia. He has compiled a serviceable index and thus opened his book to good repute. It might seem, now, when Franklin has been dead over a hundred years, and the bi-centennial of his birth is drawing near, that nothing new could be said of him. Yet new material continues to come to light. Since Mr. Ford's MS. went to the *Century*, there have been discovered "certain of the correspondence between Benjamin Franklin and his relatives, together with abstracts of church records, and a pedigree chart prepared by Franklin himself, connected with the researches he was making into his family ancestry while sojourning in England as the agent of the Province of Pennsylvania." This highly interesting material has been edited by Mr. John W. Jordan, the editor of the *Pennsylvania Magazine of History and Biography*, and reprinted by him from the magazine for April, 1899. Coming to light, as it did, while Mr. Ford was sending forth his charming serial, it adds to the interest of his theme and throws light on one side of Dr. Franklin of which no one suspected the existence. It is regretted that some part of this new matter could not have been inserted by Mr. Ford in his book. Considering *The Many-Sided Franklin* as a contribution to the bibliography of the man, now so vast, it is pleasing to be able to say that Mr. Ford has written a book which cannot fail to interest all students of human nature, all lovers of Franklin, all persons fond of investigating eighteenth-century men and manners, and all who, deeply versed in Franklin's life and writings, appreciate the authenticity and realism of an historical study.

FRANCIS NEWTON THORPE.

The Growth of the Federal Constitution in the Convention of 1787.

By WILLIAM M. MEIGS. (Philadelphia: J. B. Lippincott Company. 1899. Pp. 374.)

To the many accounts of the work of the Federal Convention at our disposal Mr. Meigs has added another which from the convenience and helpfulness of its method in the presentation of the material deserves prompt recognition as one of the most useful and instructive of the books devoted to this theme. As a mere labor-saving device its value is not easily overstated. Instead of simply paraphrasing and condensing Madison's Notes, Mr. Meigs has carefully traced the development of each clause, with a brief summary of the discussions of it, from the earliest suggestions through all its transformations until it takes its place at last in the completed constitution. Or, in other words, he has arranged our records of the debates in the order of the topics in the text of the Constitution and compressed them to perhaps one-third their present length mainly by the omission of unessentials. It is now possible to read in two or three minutes the outline of the history in the Convention of any provision in the Constitution and with the help of the dates to follow the details of the discussion in Madison's Notes with almost equal readiness. So far as I have tested the work it seems to have been done very thoroughly and accurately.

Mr. Meigs, however, has not merely rendered old material doubly available for our instruction by a fresh analysis and a rearrangement of it, but he has identified an important missing link in the records of the Convention and so has, in effect, brought new material to light. Mr. Bancroft, in describing the labors of the Committee of Detail (consisting of Rutledge, Randolph, Gorham, Ellsworth, and Wilson) appointed July 24, to draft a constitution on the lines laid down in the twenty-three resolutions referred to them July 26, wrote: "There is neither record nor personal narrative of their proceedings." In 1887 or thereabout, Mr. Moncure D. Conway found among the papers of George Mason a draft of a constitution in Randolph's writing of which he published an account with extracts in *Scribner's Magazine* in September 1887 and also in his *Edmund Randolph*. This draft Mr. Conway believed Randolph to have drawn up before the meeting of the Convention and later to have used in the sessions of the Committee of Detail. This document is now in the hands of Mrs. St. George Tucker Campbell of Philadelphia, a great-granddaughter of George Mason, and with her permission a facsimile of it is given in this volume. In a critical appendix Mr. Meigs proves beyond a doubt that this document is an outline draft prepared by Randolph on the basis of the twenty-three resolutions for the Committee of Detail to use as foundation of their draft. The identification is so clear that one wonders that Mr. Conway could have missed it, and by it Mr. Meigs places in our hands one of the most important documents of the Convention. How this draft came to be in the possession of George Mason is unknown. Mr. Meigs conjectures that Mason may have inspired it in some measure. He also tells us that a similar draft in the handwriting of James Wilson, but much more nearly corresponding to the final draft of the Committee, is preserved among the Wilson papers in the collections of the Historical Society of Pennsylvania. This like the Randolph draft contains marginal notes in the hand of Rutledge, the chairman of the committee. It would, I think, have been a material addition to his work if Mr. Meigs had printed both these drafts in their order among his documents between the twenty-three resolutions and the report of the Committee. Randolph's hand, though very legible, is painfully fine and, as Mr. Meigs constantly refers to this Randolph draft in the body of his work when following up the history of the separate clauses, it would be a great convenience to be able to refer to the text of it as easily as one can to the other documents.

EDWARD G. BOURNE.

Salmon Portland Chase. By ALBERT BUSHNELL HART. [American Statesmen Series.] (Boston and New York: Houghton, Mifflin and Co. 1899. Pp. ix, 465.)

THE author tells us in his preface that it is less the purpose of this book to give a detailed account of Mr. Chase's life than to present him as the central figure in three historic episodes: the Western political anti-slavery movement, the financial measures of the Civil War, and the

process of judicial reconstruction. Mr. Hart has therefore followed the historical rather than the biographical method of treatment and although the general reader will miss something of the picturesqueness of a more personal narrative, the work is perhaps of greater value as a political study on this account. The entertaining incidents of Chase's early life described in Schucker's biography have been mostly omitted, but the opening chapters of Mr. Hart's book are models of concise and graphic historical style.

We have a realistic picture of Cincinnati in 1830 and of Chase's beginnings at the bar in that city. His professional career was successful and in the recesses of his most intimate correspondence he still appears "an upright man, an honest lawyer and a faithful trustee." Next follows an account of the genesis of the anti-slavery movement, especially in the West. James G. Birney, a Kentuckian, was one of its prominent figures. In 1836 he published *The Philanthropist* at Cincinnati, but his printing-office was broken into by a mob and badly damaged. It was at this time that Chase first began to recognize the slave power as the enemy of freedom of speech and of the press, and he took an active part against the mob, although he long disclaimed the hated epithet of "abolitionist." Indeed the anti-slavery men of Ohio were of quite a different kind from Garrison and Phillips, who advocated disunion and an aggressive warfare on slavery even in the slave States. Chase thus expressed his views in a letter to Theodore Parker :

"The general government has power to prohibit slavery everywhere *outside* of slave States. A great majority of the people now accept this idea. Comparatively few adopt the suggestion that Congress can legislate abolition *within* slave States . . . I say, then, take the conceded proposition and make it practical. Make it a living, active reality. Then you have taken a great step. Slavery is denationalized."

In 1840 the "political abolitionists," as they were called, broke away from the Garrisonians and nominated Birney for the presidency. Chase did not then sympathize with this movement but still remained in the Whig party and supported Harrison, whom he personally knew and hoped to influence. Harrison in his inaugural however took ground against interference with slavery and it was not long before Chase left the Whig party forever. He attended the Liberty Convention at Buffalo in 1843 where Birney was again nominated. In 1848 he presided at the Buffalo Convention called to support the Wilmot Proviso, at which Van Buren became the candidate upon a platform demanding "free soil, free speech, free labor and free men."

A rather complicated political situation, fully described in the biography, now led to the election of Chase to the Senate as a "Free Soil Democrat." In the description of his career in that body we have a full discussion of the slavery question and the other issues in which he took part, but perhaps hardly enough of the living, speaking Chase. The Ohio Senator was the strongest assailant of Clay's compromise measures of 1850. He declared it to be the duty of Congress to prohibit the

extension of slavery into the national territories. He insisted that the California question had already been settled by the California constitution. He denied the power of Congress to legislate concerning fugitive slaves. He refused to be moved by the threats of secession. "We of the West," he said, "are in the habit of looking upon the Union as we look upon the arch of heaven, without a thought that it can ever decay or fall."

But his supreme opportunity came in the debate upon the Kansas-Nebraska bill. Mr. Hart gives an admirable description of the elements of strength and weakness, both in the bill itself and in the extraordinary man who now thrust this new issue upon the country. Then follows an account of Chase's "Appeal to Independent Democrats." After the bill passed, Chase declared that the Whig party had been rent in twain and that the Northern wing would unite with the independent Democrats in a new organization. Douglas fiercely denounced such a sectional coalition as involving servile war, disunion and treason. "I accept your challenge," he said, "raise your black flag; call up your forces on the Constitution as you have threatened it here. We will be ready to meet all your allied forces." "With that challenge and the reply," says the author of the biography, "the discussion of the Kansas-Nebraska bill ended in the Senate and the Republican party began."

In July, 1855, the anti-Nebraska Republicans nominated Chase for governor of Ohio. He was elected. He made an excellent executive, but unfortunately he now began (in the words of the biographer) "to muse upon that picture of *President* Chase which came back to his mind every year during the rest of life." He tried to secure the Republican nomination for the presidency in 1856, and after he had been re-elected governor, he conducted in his own behalf a long and anxious canvass to win the same prize in 1860. Seward was apparently his chief competitor. He never looked upon Lincoln as a serious rival until the convention. But Chase found a divided delegation from Ohio and few supporters in other states and he got glimpses of political intrigues into which he could not descend. These side-lights, as well as a description of the boss system in New York under Thurlow Weed, are serviceable to those who deplore the degeneracy of politics to-day.

In spite of bitter opposition Chase was appointed Secretary of the Treasury and amid the throes of secession Lincoln's cabinet began its work. The first critical question was that of relieving Fort Sumter. Seward and Chase both advised that no step leading to hostilities should be taken, but Chase thought that to send provisions to the fort ought not to lead to civil war. He wrote of his own position at that time "that there were two alternatives: first that of enforcing the laws of the Union everywhere, and second, that of recognizing the actual government of the seceded States and letting the Confederacy try its experiment of separation, and that knowing that the former involved destructive war and thinking it possible that by the latter this evil might be avoided and the return of the seceders secured after an unsatisfactory experiment, he pre-

ferred the latter alternative." No one can read the history of this time without seeing how much greater was Lincoln than the statesmen around him. He alone foresaw the fatal consequences of secession and clearly understood that the issue had to be met at once.

By Chase's vigorous and patriotic management of the Treasury, the credit of the government was immediately strengthened, and later, when Congress met in December, 1861, he presented to that body a comprehensive scheme for taxes, loans, notes and national banks. But his measures were pushed aside until specie payments were suspended and the treasury was empty. Then there was hurried legislation with little regard to the plans of the secretary. He had no control over expenditures and for much of the confusion that arose he is not responsible. The result however shows that he did not fully estimate the ability of the country to endure heavy taxation.

When the legal tender act was proposed, Chase saw the danger of the measure and called a conference of bankers with committees of Congress to find some counter-plan. But this came to naught and Chase opposed the legal-tender clause no further than by expressing a regret that it was considered necessary. It is hard to see even now how the measure could have been successfully averted.

The scheme for national banks was a creation of his own, but he found Congress reluctant and it was not until February, 1863, that the first act was passed; and not until March, 1865, after Chase had resigned, that a tax of 10 per cent. upon state bank notes perfected the scheme and made the notes of the national institutions the only bank currency of the country. Although this system may be unsuited to our present needs, it has stood the test of over thirty years' experience with excellent results and no one can compare it with the chaos of irresponsible state banks which it superseded without feeling that this device alone entitles Chase to a high rank among the great financiers of America.

He was the representative of the radical wing of Lincoln's cabinet, while Seward was the leader of the conservatives. For a time, however, even Chase was little in advance of his colleagues in respect to emancipation. When Fremont proclaimed freedom, Chase defended Lincoln in annulling the proclamation. Yet when the same thing afterwards happened with Hunter, Chase tried ineffectually to have the President's order revoked.

There appears in Chase's diary an interesting account of the cabinet meeting at which Lincoln considered his preliminary emancipation proclamation. When the final proclamation was made on the first of January, 1863, it concluded with the words which Chase had suggested: "Upon this act, sincerely believed to be an act of justice, warrantable by the constitution upon military necessity, I invoke the considerate judgment of mankind and the gracious favor of Almighty God."

It was unfortunate that one who possessed so many high qualities should have been a prey to his own boundless egotism. As a result this great man was infinitely small in many small things. His self-complacency

appears upon almost every page of his correspondence and his elaborate diaries and this, together with his disposition to find fault with others—most of all with his magnanimous and kind-hearted chief—casts an ugly shadow upon a life otherwise noble, honest and patriotic. In matters where his own ambitions were concerned he seemed to lose all sense of propriety and of perspective. He sought to intermeddle in the affairs of other departments and in the conduct of the war. He wrote fulsome and flattering letters to generals, politicians, personal friends—to everybody, complaining of the mismanagement of the administration, of the slights which were put upon him and the disregard of his infallible counsels. He wanted the cabinet to become an executive board in which the President was to have little more influence than anybody else. He intrigued for the Republican nomination in 1864 without any apparent conception of the impropriety of the act. Over and over again (believing his own services to be indispensable) he flung his resignation into Lincoln's face in order to discipline the President. These things appear even more clearly in the vivid accounts given by Nicolay and Hay and by Mr. Rhodes than they do in the book before us. Still Professor Hart has been entirely just in his estimate of the foibles as well as of the high qualities of the secretary.

At last Lincoln took him at his word and accepted his resignation. No one could have been more surprised than Chase. His criticisms of the administration became more bitter than ever, and for a while it seemed doubtful whether he would support Lincoln for the presidency. In spite of all this the President nominated him for Chief Justice when Taney died.

Chase's appointment to a judicial office did not withdraw him from all active participation in the political events of the time. It was his hand that drew the original draft of that part of the Fourteenth Amendment which provided that if suffrage were restricted by any state, the basis of representation should be correspondingly reduced, and that no debts incurred on behalf of the rebellion should be paid.

In the impeachment of President Johnson, Chase presided with dignity; his rulings showed calmness and good judgment and did much to give the proceedings a judicial character. Unfortunately, he permitted his friends again to urge him for the presidency. He had already become tired of judicial office, "of working from morning till midnight and no result except that John Smith owned this parcel of land or other property instead of Jacob Johnson." But the Republicans were determined to have Grant, and then within a few weeks Chase was found seeking the Democratic nomination. Naturally such conduct awakened the resentment of his former associates, and his name was barely mentioned in the Democratic convention. In 1872 we find him again pulling wires, and declaring that "if his nomination would promote the interests of the country he would not refuse the use of his name."

The career of Chase during his last years upon the bench was highly creditable, though his itching for the presidency had weakened his influ-

ence. His greatest opinion was that delivered in the case of *Texas vs. White*, which determined the status of the Southern states during the war. "The Constitution," he said, "in all its provisions looks to an indestructible union composed of indestructible states." Hence the acts of the seceding legislature were null, but although the obligations of Texas were not impaired, its federal relations were affected and under the power to guarantee to every state a republican form of government, Congress had the right to provide for reconstruction. The decision was not only sound in law, but wise in statesmanship, if statesmanship ought ever to play a part in the decisions of the Supreme Court. From the discussions in Mr. Hart's volume, one would suppose that the judges were often actuated by purely political considerations. This they would hardly be willing to admit, nor is it probably true to the extent which seems to be implied. At the same time the political bias is very strong with all of us, even when we are unconscious of it.

In the *Veazie Bank* case, Chase as Chief Justice upheld his own course as Secretary in regard to the ten per cent. tax on state bank notes, yet in the legal-tender cases he was great enough to discard consistency and to declare his own former acts illegal, by holding that the Constitution had not authorized the issue of notes which should be a legal tender for debts contracted before the statute was passed.

After this decision two new judges were appointed by Grant and in the *Latham* case the decision was reconsidered and overruled by a bare majority of the court. However great the temporary convenience of this second adjudication, the time may yet come when our republic will realize how dangerous it was to declare constitutional a law authorizing an issue of irredeemable paper currency as a legal tender for past debts.

Mr. Hart insists that next to Lincoln, Chase was the most eminent statesman in the important periods of the war and reconstruction; that he was a greater man than Stanton, Seward, Sumner, Thaddeus Stevens, or Charles Francis Adams. Probably this is true. Each of these men had serious limitations and our country has great reason for congratulation that during its stormiest period they were under the leadership of one who possessed more eminent qualities than any of them. Yet Chase is certainly a less interesting and attractive personality than several of the others. His character lacks many of those picturesque features which brighten the pages of biography.

Mr. Hart, both in his narrative and in his criticism, has displayed in the highest degree his impartiality as well as fidelity to the truth of history. His work will always be an authority.

WM. DUDLEY FOULKE.

The Life and Times of Hannibal Hamlin. By his Grandson, CHARLES EUGENE HAMLIN. (Cambridge: Printed for the Author at the Riverside Press. 1899. Pp. xi, 627.)

FOR a successful "life and times" of any one, there are two pre-requisites—an important central figure and a skilful writer. Both are

lacking in the present case. Persons interested in the political history of Maine during the half-century after 1835 may find compensation for reading this narrative, but as far as national affairs are concerned there is surprisingly little that is either new or valuable. No one with a correct conception of historical proportions would have given serious thought to writing a biography of Hamlin more than one-fourth or one-fifth the size of the present volume. Hannibal Hamlin was a straight-forward politician possessing sound judgment and substantial abilities; he was a good man, a rugged character, and an excellent example; but that he was great or brilliant or very influential, has never yet been made clear. His rise to a conspicuous position was due to peculiar circumstances.

In his early years he figured and succeeded in Maine as a Jackson Democrat. In 1843 he was elected by the Democrats as a representative in Congress (p. 51). In 1848 he was advanced to the Senate to fill a vacancy, and in 1851 he was chosen for a full term. About equally distant from Free-Soilism and pro-slavery Democracy, he was a good exponent of the opinion of his party constituents. So when Douglas, in 1854, led in the repeal of the Missouri Compromise, Hamlin did not follow, nor did he subscribe to the heroic "Appeal of the Independent Democrats," but safely voted with the opposition—and continued to be a Democrat for two years after the commencement of the formation of the Republican party.

There was a strong suggestion of gifts for politics in the time and manner of his moving bag and baggage from the Democratic to the Republican ranks. This was not until a few days after the Democratic national convention of 1856. Then he rose in the Senate and said:

"During nine years of service in the Senate, I have preferred rather to be a working than a talking member, and so I have been almost a silent one. On the subjects which have so much agitated the country, senators know that I have rarely uttered a word. . . . I believed it [the repeal of the Missouri Compromise] wrong then; I can see that wrong lying broadcast all around us now. As a wrong I opposed that measure—not indeed by my voice, but with consistent and steady and uniform votes. . . . I did it also cheerfully, in compliance with the instructions of the legislature of Maine, which were passed by a vote almost unanimous. In the House of Representatives of Maine, consisting of 151 members, only six, I think, dissented; and in the Senate, consisting of 31 members, only one member non-concurred" (p. 287).

These sentences leave very little to the imagination, and do not indicate any surprising independence. Yet it meant a great deal politically when Hamlin thereupon declared his separation from the Democratic party and his allegiance to its new rival. The biographer calls Hamlin "a father of the Republican party." Considering the circumstances, it would be more accurate to call him her step-son. But the Maine senator, whose term was about to expire, understood the conditions. He was soon nominated as the Republican candidate for the governorship. His election followed; and in the same week when he assumed his new office,

he was chosen for another term in the Senate, where he returned March 4, 1857, as a Republican, without having lost any time and with greatly increased political importance. These moves made him the most prominent of the Republicans with Democratic antecedents.

When, in 1860, the Republicans, contrary to general expectations, nominated Lincoln, a Westerner of Whig antecedents, it was important to choose an Easterner belonging to the Democratic wing of the party. Hamlin was the most available of the aspirants of the time and was soon agreed upon. If Seward had been given the first place, some Westerner or border-state man, such as Cassius M. Clay, would have been the candidate for the vice-presidency. Hamlin presided over the Senate with dignity and good judgment, and kept up close relations with Lincoln, but his influence upon the measures of the war-period is hardly appreciable in comparison with the work of such senators as Sumner and Trumbull.

Naturally the grandson writes feelingly about the failure to renominate Hamlin in 1864, but he ought not to regard it as a personal matter. As a vice-president has hardly any opportunity to gain popularity in office, and is therefore almost certain to lose what he had, political expediency is likely to cause him to be supplanted by some one that can attract new support to the ticket. The presidency of Johnson was such a national calamity, that there has always been a lively regret that Hamlin was dropped. Undoubtedly Lincoln personally favored Hamlin, but he saw the force of the suggestion that a Southern Unionist with Democratic antecedents would help to shield the Republicans from the charge of caring more for the negro than for the Constitution. When in 1891 Colonel A. K. McClure publicly stated that Johnson had been chosen in obedience to instructions from Lincoln, it created a great sensation. There has been a vast amount of quibbling and posing in regard to this question, and what the present author says does not help much; but the long statement from Colonel Nicolay, quoted in the supplement, must be regarded as final, and is historically the most valuable part of the book.

After retiring from the vice-presidency Hamlin became collector of the port of Boston. But when Johnson came into violent disagreement with Congress in 1866, Hamlin dramatically resigned a very lucrative office, and soon began to work for re-election to the Senate. He was so successful that he obtained two more terms, from 1869 to 1881. During this period he maintained his position of honorable mediocrity. His chief distinction was that he had been the first Republican vice-president and Lincoln's associate. His sympathies in the Reconstruction period were with the radicals, the spoilsmen and the expansionists, and he felt an intense dislike for the soothing influences introduced by President Hayes. Two of the best things he ever did were, when chairman of the Senate committee on foreign affairs, to support the principle of arbitration by insisting that the United States were morally bound to accept the unwelcome award of the Halifax Commission of 1878 (p. 538), and to argue with great force that the rights of China under the Burlingame

treaty should be respected as carefully as if our government were dealing with the first of European powers (p. 540). In 1881 he was appointed minister to Spain with the understanding that he might spend part of his time in travel and resign after one year.

This volume settles for all time that Hamlin spent a long life among great men, but that he was not of them. And the painful expanse of the narrative, with its exaggerated metaphors, political slang and too frequent quoting of *damns*, and worse, remind one of the remark of the countryman when his friend, Franklin Pierce, was nominated for the presidency: "Frank's a dern big man up here in Noo Hampshire; but I guess when they come to spread him out over the hull country, he'll be poorly thin in places."

Contemporaries. By THOMAS WENTWORTH HIGGINSON. (Boston and New York: Houghton, Mifflin and Co. 1899. Pp. 379.)

FROM the name of its writer, it goes without saying that this book will be found delightful reading. But it is more than this. It will have to be reckoned with by future students of the literary, poetic, social, reformatory, perhaps even military history of the period it covers. The word military is thrown in with a perhaps, solely for the reason that the volume contains but one estimate of a soldier, General Grant; but this done in so masterly a way as to draw an authentic portrait worthy to be hung up where it will long be seen.

One great difficulty students of past history encounter is that of getting at vivid details of the salient characteristics of the eminent men or women they are trying to understand, details given by a contemporary with an eye in his head, as well also as with a breadth of appreciation, an insight, a sense of humor, and a loving charity that will furnish a genuinely human portraiture. Such eyes are rare features in the heads of writers of memoirs. Too often are their memorial optics so short-sighted, long-sighted, astigmatic, or asquint, as to render their pictures hardly more reliable than those of a landscape seen through a boggling lens of bull's-eye glass. Col. Higginson, on the contrary, has a widely sympathetic nature, and is the last man to say, "Because thou art virtuous, shall there be no more cakes and ale?" which means that he can at once enjoy the stern Spartan rigidity and unbolted moral bran diet of a William Lloyd Garrison and the exquisite sense of irresponsibility and bobolink insouciance of a John Holmes.

Perhaps the majority of the portraits Col. Higginson paints are those of men and women identified with the "Abolition Movement." "Well, what sort of everyday personalities were they?" will ask many a student in the future. Let him, for example, turn to the portrait of Lydia Maria Child and he will find out—be startled, moreover, at the same time, with an insight into New England, its plain people, their struggles and aspirations, that will make things actualities to him. This is the only way to light up history. The abolition agitation was no mere breaking of lances

between abstract principles horsed on the air. It was a matter of throes and agonies. It was a life and death dead-lock between desperately human powers—between dogged materialists and fiery humanitarians, between the living issue of man a pawn in the chess-game of political ascendancy and man an heir of a divine birthright in God. Here, for one, was a woman who felt the issue in every nerve and fibre. But at the same time what a hearty, humorous, child-loving, home-brewed, potato-paring and prodigally-dispensing millionaire of charity she was. Leave out such vital factors in the making of the history of emancipation, along with their reaction on duller sensibilities, and what is such history but a dry-as-dust compilation?

What sort of a man, again, was John Brown of Harper's Ferry? Public documents will give one the outward events of such a life. But what was he inside? It is only familiar private records of this kind that help one to say. Visit his home in the Adirondack wilderness along with Col. Higginson, and the reader will find out; yes, all the ins and outs of so exceptional a make-up. So throughout the varied range of characters whose portraits the writer paints, perhaps with the one exception of Walt Whitman, evidently a personal *bête noire*. The warts are not left out, nor are the sitters allowed to strike mock heroic attitudes, nor to "call up looks" after the manner of the excellent wife of the Vicar of Wakefield. A great preacher and platform speaker, like Theodore Parker, comes forward in all his admixture of a certain ungainly rusticity with dominating power. A magnetic orator, like Wendell Phillips, is presented with all the advantages and all the drawbacks inherent in such unstable temperaments. But the individual traits are painted in with a brush which mixes its colors as Opie said he did his—"with brains, Sir!"—that is, which mixes them with love, insight, breadth of appreciation, kindly humor, and quick responsiveness to everything noble and enkindling.

The Story of the Civil War. By JOHN CODMAN ROPES, LL.D.
Part II. (New York: G. P. Putnam's Sons. 1898. Pp. xii, 475.)

THE second volume of this interesting work by John Codman Ropes makes good the promise of the first. It is incontestably the most intelligent as well as the most complete and impartial analysis of the campaigns and battles of the Great Rebellion, so far given to the world. The author has used his abundant materials with all the acumen and skill of a trained lawyer and critic and with unerring certainty, in the singularly clear and succinct narrative, which he has given us. It is only when the motives and personal characteristics of the actors in the great drama are important factors in determining the course of events that we perceive any uncertainty in the story, and this, if a fault at all, is one which it is almost impossible for an author, who was not himself a participant in the war, to avoid. Mr. Ropes, however, enjoyed very un-

usual opportunities, as the founder and leading member of the Military Historical Society of Massachusetts, to make intimate acquaintance with many of the most distinguished survivors of the war, and hence his opinions as to the personal peculiarities of the great leaders are as likely to be correct as those of any other writer. His narrative is remarkably free from prejudice, and is nowhere marred by the bias of personal friendship or personal enmity. On the other hand, his desire to appear impartial perhaps causes him to praise Lee and Jackson excessively, and to condemn Halleck and Pope more than they deserve. It may be maintained also that he is unduly severe at times on the alleged ignorance of Lincoln and Stanton in military affairs.

The volume under consideration commences with the campaign of Donelson and Shiloh, in February, 1862, and ends with that of Fredericksburg, in January, 1863. It therefore covers the second year of the conflict, including the capture of Fort Donelson, the campaign of the Peninsula, the Seven Days' battle, and the incomplete victory of Antietam. The author demonstrates for the first time that the advance upon Fort Henry and Fort Donelson, although made by forces under the immediate command of General Grant, was suggested by Halleck, and carried into effect under his instructions. He also makes it clear that the capture of Fort Henry was due rather to the brilliant and irresistible attack of the fleet under the command of Admiral Foote than to anything done by the land forces. The advance from Fort Henry to Fort Donelson, but a few miles away, followed with promptitude. The details of the conference between the Confederate commanders inside of Fort Donelson, the declension of the responsibilities of command by the seniors in succession, and the considerations which moved Buckner, as the final commander, to surrender, are all fully set forth in the text in a novel and interesting manner. The doubts of General Grant; the varying fortunes of the day; the Confederate denunciation of Floyd, Pillow, Buckner, and Johnston; the committee of inquiry appointed by the Confederate Congress; and the failure of the American fleet to accomplish at Fort Donelson what it had accomplished at Fort Henry, are all set forth in their order, and well sustain the conclusion reached by the author, that the task which General Grant had successfully accomplished, although the first great Union victory gained in the West, was not one which called for the highest and rarest qualities of generalship; that his work was laid out for him by Halleck, upon whose shoulders rested the responsibility of deciding whether or not the task was feasible, and, if feasible, whether it was proper to attempt it at that time.

The author, however, fails to indicate the great advantage of this victory to General Grant in giving him confidence in all his future operations. It is also to be noted that it gave him a certain contempt for the excessive delays which afterwards became so fashionable in the eastern armies for purposes of organization and instruction, and which had such unfortunate and costly results in connection with the career of General McClellan.

The incident of Halleck's suspension of Grant because of the latter's unauthorized movement to Nashville is passed over lightly by the author, but it gives emphasis to the fact that if General C. F. Smith had lived he would have succeeded to the command of that column, and, as General Sherman afterward wrote, it is altogether probable that with such a soldier as Smith in chief command, neither Sherman nor Grant would have been afterward heard from.

Indeed the Shiloh-Corinth campaign constituted one of the most important periods of General Grant's life, for it was during that campaign that his great intimacy with Sherman was established. Having been treated by Halleck with marked reserve and disrespect, it was General Grant's purpose to tender his resignation and to return home, but through the advice of Sherman, who was also treated with some reserve, he concluded to remain, holding his nominal position of second in command, but performing no duties whatever. He came into the actual command of the Army of the Tennessee only after Halleck had been called to Washington. It was also during this campaign that Grant became acquainted with General Thomas and that a feeling of distrust, if not of enmity, grew up between them. The sympathy between Grant and Sherman, no less than the distrust and lack of cordiality which characterized the relations between Grant and Thomas, were important and interesting factors in the course of the war from that time forth.

The author points out with admirable clearness the faults of the Shiloh campaign, and shows that the Federal commanders were greatly to blame for neglecting ordinary precautions in the selection and fortification of their camp-sites at Shiloh, and leaves no room for doubt that, contrary to the contentions of both Grant and Sherman, as set forth in their memoirs, the army under their command was surprised in its camps.

This year is also notable for the fact that it had great influence upon the future of both Grant and Lee as leaders of the opposing forces. Grant, it will be remembered, was doubted and distrusted from the start, and had no larger command than that of a department until after the capture of Vicksburg and the defeat of Bragg at Missionary Ridge; while Lee was regarded from the first by the Confederate authorities as the greatest general of the time, and was practically a military dictator from the day he assumed command on the Chickahominy. This lack of confidence in Grant on the one hand was a most important factor in bringing about the delays on the Federal side, while the absolute trust in Lee on the other had a powerful effect in determining the aggressive policy of the Confederate authorities.

The author describes with rare patience and industry all the circumstances leading to and characterizing the Peninsular campaign. He presents the facts of McClellan's operations, of the attitude and doubt of the Administration and of the Confederate movements, with a broad and comprehensive fairness which is followed by the reader with such ease as to bring conviction to his mind on all controvertible points; but in reference to the advantages and disadvantages of the plan of operations adopted

by General McClellan the narrative is far from satisfactory. For years it has been a mooted question between the friends of McClellan and the free critics as to whether the transference of the Army of the Potomac from its position in front of Washington to the Peninsula by water was, under the circumstances then existing, sound or false strategy. It is to be regretted for the sake of military students that the author does not go into this question. It is difficult to see how that plan of operation could have been justified unless the Federal government had had at its disposal another army of equal strength for the defence of Washington. It is apparent that during this period the Confederate forces, had they been collected and ready for offensive operations, and had Jackson not been detached for an expedition into the valley of Virginia, could have marched from Richmond to Washington and back again, had an abundance of time to fight all the battles that could possibly have been fought, and still have reached Richmond or the line of the Chickahominy in ample time to resist McClellan's army in its final onset. The Confederate movements shine merely by contrast, and when their results are considered, it will be perceived that they were mainly due to the fact that Lee's position was closer to the direct line which separated the two vital points of the theatre of war than McClellan's.

In view of these larger considerations, it seems to us that while the author justly criticizes McClellan for his incompetency and for his lack of aggressive temper, he is unnecessarily severe upon Mr. Lincoln and Mr. Stanton for their division of the theatre of war into separate districts, and for their exercise of military command in pursuance of their constitutional and legal obligations. Their success in planning campaigns was at least as great as that of the military leaders with whom it was thought that they should have had more frequent conferences, or as that of Davis, an educated soldier, who had had experience in the Mexican war as a regimental commander, and had afterwards won distinction as Secretary of War. It is worthy of special mention that both the President and Secretary Stanton came ultimately to fully trust their military subordinates when the latter had sufficiently developed their capacity to entitle them to confidence.

While it may be doubted that General Robert Edward Lee was, as is asserted by the author, "the most accomplished soldier of the day," or that he always employed his extraordinary opportunities in a manner to justify his being ranked with captains of the first order, it is evident that the advantages of the year's operations in Virginia were largely in his favor, and failed to end in complete success principally because he was outweighed by the superior numbers and more ample resources of the national government.

The limits of this paper will not permit us to follow the details of the operations from Fortress Monroe to Malvern Hill, nor from the Rappahannock to Centreville. We must content ourselves with praising the author's narrative of the actual events as leaving nothing whatever to wish for, unless, indeed, it be a little more charity for Pope, who, what-

ever else may be said, notwithstanding the extraordinarily disadvantageous conditions which prevailed, commanded the troops under his orders with a vigor and determination which had not so far characterized any other commander of that unfortunate army.

The author's account of the campaign and battle of Antietam is singularly clear and correct. It shows from the very start, that McClellan, who after Pope's discomfiture again fell heir to the chief command, was unpardonably slow, if not timid; that after he discovered, through finding a copy of Lee's order giving the details of his proposed operations against Harper's Ferry, that his antagonist's army was scattered, and that a great opportunity had been presented to him for a signal victory, he still continued to move with the most torpid indifference. The writer was present as a subaltern during the entire campaign, on the staff of McClellan, and personally knows that on no day did the army as a whole make more than a good half-day's march. Of course the subordinate officers were unaware of the wonderful advantage which had been put into McClellan's hands by the fortunate finding of Lee's order, but all who were connected with the staff were profoundly impressed with the necessity for more rapid operations, and the ease with which they could be made. But if McClellan was, as is convincingly shown, slow and weak in his movements, it is made equally clear that Lee's plan of operations, especially the detachment of the larger portion of his army to operate upon Harper's Ferry, was in violation of all the rules of scientific and aggressive warfare. If he had held his army together and fought an offensive battle against McClellan, who was marching out to meet him, he might not only have defeated that unready commander, but he would have been quite as certain to capture Harper's Ferry on his return into Virginia, after the battle, as before.

The author's narrative is no less admirable than his criticism, so far as it goes, but here again personal acquaintance with the commanders on the opposing sides would have enabled him to tell a more interesting story, by supplying an insight into the personal and private characteristics of the various leaders; of those notable commanders Franklin and Win. F. Smith for instance, or of Hooker, whose subsequent conduct, in view of the slightness of the wound received by him at Antietam, was extraordinary.

Nothing can be more clear than that abundant opportunity was offered to each of the armies engaged in the battle of Antietam, to gain an overwhelming victory. The difficulty then was, and it may be said, nearly always is in the case of a great battle, that neither leader can know what is passing in the camp or lines of the other, until long after it is possible for him to avail himself of such advantage as might be offered thereby. It is safe to say that, had either Lee or McClellan known the exact situation in time, in his opponent's lines, he could have won a great victory.

Again, the author calls attention to the important fact that neither of the armies, up to the battle of Antietam, had learned the lesson of hasty

fortification, and that neither made much use of any cover except that afforded by the accidents of the ground on which they happened to be fighting. We dwell upon this because, as shown by the subsequent stages of the war, there was no other single adjunct in a defensive battle, half so important as that of a line of rifle-trench or log breast-works, hastily constructed on the ground the troops were expected to defend.

As before stated, it was the writer's good fortune to volunteer and be accepted for service on the staff of General McClellan during that campaign. After the battle of Antietam, when the army had come to a dead standstill, he was detached, in pursuance of previous orders to proceed to the West, but was called back to the army, from Washington, as a witness in a court-martial case. Before leaving Washington, he was entrusted with a message from a distinguished statesman and soldier to General McClellan, to the effect that he would be shortly relieved of the command of the Army of the Potomac. On giving the General this information, which was received without surprise, he remarked, "Well, if I am relieved, I suppose I shall never have the command of another army; indeed, if such command were offered me, I should decline it. This army belongs to me as much as any army ever belonged to the man who created it, and if I am not permitted to command this, I do not care to command any." Whereupon the writer remarked, "General, your friends will expect you to take a different position. They will not only expect you to accept any command which may be offered to you, but, if none is voluntarily offered, they will expect you to ask the President for a command appropriate to your rank as a major-general. You, like the rest of us, are below the Law, and having been educated at the public expense, are under a solemn obligation to serve wherever your help may be needed by the constitutional authorities of the country. No person is capable of relieving you of this duty, and if the authorities do not give you such a command as you think you ought to have, it would be your duty to ask for a division; if you do not get a division, you should ask for a brigade; if that is declined, it would be your duty to go to the governor of the state of which you are a citizen, and ask for a regiment; if that is denied you, you should ask for the position of lieutenant-colonel, major or captain, and finally, if all is denied you, it would be your duty to take your musket as a private soldier. If you will act on this principle, you will be the next President of the United States." This seemed to be a new view of duty to him. He said frankly that his friends had never talked to him in that way, and, in bidding the writer good-bye, he remarked, with feeling, "Well, if I ever do have another command, I want you to promise me to serve on my staff." It is unnecessary to give further details of this incident. Its significance is due solely to the fact, that although McClellan disappeared shortly afterwards from military life, it is certain that he did not do so without having had his duty as a West Point man pointed out to him clearly and emphatically.

At the time of joining General McClellan's staff, we shared in the opinion which was then widely prevalent, that the Army of the Potomac

was the main dependency of the Union, and that McClellan was the one competent commander among the Union generals. When we left, it was with the conviction that the Army of the Potomac, while far from being a model, was good enough, and that although the national cause would surely triumph in the end, it would be through the possession of superior resources, and the exercise of "main strength and awkwardness," rather than through the strategic ability or the commanding qualities of its leaders. The long and bloody struggle which followed, under Burnside, Hooker, Meade, and finally under Grant himself, verified the literal correctness of this opinion.

The author tells with unflinching accuracy and a world of painful details the disheartening story of Burnside's unfortunate transfer of the army of the Potomac from Culpepper Court House to Falmouth. No nation ever had a more humiliating experience than the United States had in the campaign and battle of Fredericksburg, and no general ever showed himself more incapable than did Burnside, in the futile and inconsequential movements which were made under his command. It was in meeting those movements—they are unworthy of the name of operations—that Lee first displayed his wonderful instinct for discovering his antagonist's plan, and planting himself directly across his enemy's main line of advance. In the exercise of this instinct, no man of ancient or modern times ever showed more unerring judgment.

We regret to say in conclusion, that the maps accompanying this excellent work are far inferior in merit to the text. In most cases the scale is too small to properly show either the relative position or the strategic or tactical movements of the contending forces. In several cases important strategical or tactical points are entirely omitted. As this work is likely to be the best, if not the last technical history of the war, it is surely worthy of the very best maps and plans which modern art can produce.

Since the foregoing was written the distinguished author has died, leaving his work, like that of the Count of Paris, only a little more than half finished. This is a profound loss to history and to the country.

JAMES H. WILSON.

East Tennessee and the Civil War. By OLIVER P. TEMPLE, formerly an Equity Judge of Tennessee. (Cincinnati: The Robert Clarke Co. 1899. Pp. xvi, 588.)

THE author of this book was an active leader of the Union party in East Tennessee during the Civil War, and the disturbances that preceded the war and that followed it. He declares his purpose to be: "First, to rescue from oblivion certain important historical facts, fast fading from the memory of men, connected with the struggle in East Tennessee from 1861 to 1865; secondly, to vindicate the course of the Union people of East Tennessee in separating from their friends and kindred, in the South, and in adhering to the National Government."

The book is essentially a special plea for the East Tennessee loyalists, based upon facts, carefully collected, skilfully arranged, and treated with a degree of candor and fairness very unusual in works of this class. It has not been received cordially by some Southern men, but the objections are mainly to its inferences and conclusions, and not often to its statements of fact.

A just estimate of the work can be formed only by those who keep in mind the fact that it is a special plea. The facts are collated so as to support the proposition that the loyalists were right, but there is no attempt at distortion, no intentionally unfair use of facts. The author endeavors, by fact and argument, to maintain his proposition, which is frankly stated at the outset. He writes in a spirit of moderation and kindness. The other side of the story remains to be told. It is to be hoped that it will find an equally diligent and competent chronicler.

The early history of East Tennessee is briefly outlined, as it is presented in the standard histories of the state. The first important new matter appears in the chapters in which the anti-slavery movements in Tennessee are treated. These movements have not received, heretofore, the attention to which they are entitled. Judge Temple states that the "Tennessee Manumission Society" was organized in February, 1815, in East Tennessee. This is the date generally accepted, but the writer of this article has in his possession satisfactory evidence that this society, or another with the same purpose, was organized in East Tennessee as early as 1809. In all, sixteen manumission societies were established in East Tennessee. They were composed, almost exclusively, of Quakers and Scotch-Irish Presbyterians. When the Tennessee constitutional convention met in 1834, it received petitions for emancipation from sixteen counties in the state, eleven of these being in East Tennessee. Judge Temple declares that "the first out-and-out emancipation paper in the United States was published at Jonesborough, in the mountains of East Tennessee." The date was 1819, and the publisher, Elihu Embree, a Quaker. These chapters on slavery contain much new matter, and in themselves make the book valuable.

The unique political campaign of 1860, in Tennessee, and the state elections upon the question of secession in February and in June, 1861, are fully discussed and will interest students of history in all parts of the country. The chapter on the Unionist conventions at Knoxville and at Greeneville, in 1861, is almost entirely new matter, the more important facts being taken from the minutes of the conventions, which are in the author's possession and which were not known heretofore to be in existence.

Entirely new is the interesting account of the bridge-burning episode. This was an attempt, partly successful, by the East Tennessee loyalists, late in 1861, to destroy simultaneously all the important bridges on the single line of railway which then traversed East Tennessee. The Federal Government furnished \$2500 toward the expenses of the enterprise.

The hardships of the Tennessee loyalists, their exodus to Kentucky, where they enlisted, almost without exception, in the Union Army, and

their triumphant return with Burnside in September, 1863, are described with spirit and with much sympathy. The more important of the concluding chapters are devoted to the siege of Knoxville, to the antecedents of the Union party in East Tennessee, and to a discussion of the question: "Why were the People of East Tennessee Loyal in 1861?" The chapters on secession and on abolitionism in general, are perhaps the least interesting and important in the book. On these subjects it was hardly possible to present new facts or arguments.

The author devotes much space to the Unionist leaders, to whose influence, largely, he attributes the course of East Tennessee, at least two-thirds of whose inhabitants remained steadfastly loyal. Among these leaders were Andrew Johnson, Horace Maynard, William G. Brownlow, Thomas A. R. Nelson and Judge Temple. They were men of ability, courage and force, and unquestionably exerted great influence. But it is submitted that their influence was stimulative and not creative. They were influential mainly because they were representative. The essential causes of the loyalty of East Tennessee are to be traced in her history from the beginning. From 1809 an anti-slavery propaganda had existed there. The people as a rule were not slave-holders, the country was not adapted to slave labor, the churches opposed slavery and the people were intensely religious, and mountain people are proverbially independent and conservative. These large general causes made East Tennessee loyal in 1861 and the leaders were effective because they were in sympathy with the people.

Judge Temple has made a valuable contribution to the history of Tennessee and of the Civil War. There are "positive contributions to knowledge," which are of interest and of value in every chapter except those which re-state the early history of Tennessee and those which are devoted to the general subjects of secession and abolition, and these last are, nevertheless, interesting and valuable.

JOSHUA W. CALDWELL.

Life of Charles Henry Davis, Rear-Admiral, 1807-1877. By his Son, Captain CHARLES H. DAVIS, U. S. N. (Boston and New York: Houghton, Mifflin and Co. 1899. Pp. 349.)

THE chief claim of this biography to public notice is the light it throws on a number of interesting and important events of the Civil War, in which its subject was a distinguished actor.

Admiral Davis came of New England stock, his family living in Boston and Cambridge. He entered the Navy in 1823, after spending two years at Harvard. He was fortunate in having Commodore Isaac Hull as his first commander. His early experience was not unlike that of young officers of the day.

The departure came in 1840. With scientific tastes, he found the opportunity of returning to Cambridge, took his degree, and subsequently was employed in the Coast Survey. From now on to the Civil War, ex-

cept for a brief cruise in the Pacific, he was engaged in detached scientific duty, with headquarters in Cambridge. In 1849 he established the *American Ephemeris and Nautical Almanac*, in the opinion of his biographer his best title to distinction. A number of translations and scientific works were the result of habits formed at this time.

He was called to Washington in 1861. His first important service was as a member of the secret conference to formulate plans for combined military and naval operations; which is of interest in view of the public attention paid to the workings of the board of strategy in the Spanish War, then generally supposed to be a new idea. As a matter of fact, such duties will always be necessary and can best be performed by a permanently organized body, after the manner of the German general staff, which does its principal work in time of peace. Davis also served on the board that authorized the building of the *Monitor*.

His first war service was as chief of staff to Du Pont on the Port Royal expedition, an undertaking recommended by the conference. The outcome was the brilliant capture of forts by wooden ships, an almost unique example, as the biographer says. There had, however, been other historical instances.

Davis's next important duty was in command of the Mississippi Flotilla in the summer of 1862. He went out in May to assist Foote, who was sick; but he really took over the command at once, Foote leaving immediately for the North, though his flag was kept flying. In the decisive battles of Fort Pillow and Memphis the Confederate power on the river was practically annihilated. It was not until later that Davis flew his own flag; a fact, however, that does not detract from his credit. He returned to Washington the following autumn and became chief of the new bureau of navigation, where he remained till the end of the war. The thanks of Congress for his services enabled him to remain on active duty till the time of his death, which occurred at the Naval Observatory in Washington, in 1877, at the age of seventy.

Davis was among the half-dozen most distinguished naval officers of the war. The man himself is clearly seen in his own letters, which are freely quoted throughout the book. Those dealing with the war, in their criticism of men and events, are of permanent interest. One cannot fail to gain the impression in reading them that the author was a man of uncommon breadth of mind and ability, and one who bore responsibility lightly.

A letter somewhat out of keeping with the rest severely criticizes Preble for not capturing the *Florida* at Madeira, notwithstanding the neutrality of the port. It would be interesting to know if this view prevailed extensively in the service. The significance is that the *Florida* came to an end eventually in exactly in this way, being captured by the *Wachusett* in the port of Bahia, Brazil.

The biographer dwells on the changed conditions from old days, when an officer's success depended entirely on his own efforts. There was no naval academy before 1845, and the midshipmen entered the service too

young to obtain much previous schooling. He considers this condition to have been a not unmixed evil, as the good men came to the front naturally and the poorer ones dropped out. There is nothing in Davis's letters to indicate that he himself held these views. The idea is that the present "shallow and illiberal scheme" at the Naval Academy attaches too much importance to theory at the expense of practice. If this condition really exists, it can be corrected instantly by counting proficiency in drills and practical work as of equal value with theoretical study, which is not now the custom.

Captain Davis has made an interesting addition to naval literature. His own personality is kept well in the background, and in his allusions to his father there is less eulogy apparent than might easily spring from a son's pardonable pride in the career of a distinguished father.

ROY C. SMITH.

Letters and Recollections of John Murray Forbes. Edited by his Daughter, SARAH FORBES HUGHES. (Boston: Houghton, Mifflin and Co. 1899. Two vols., pp. ix, 351; vii, 264.)

Now that most of the great generals of the Civil War—and some of the smaller ones—have had their lives written, it is quite time to give to the public the memoirs of some of those great civilians who, without public office or personal fame, not merely provided for the nation the financial sinews of war but also much of the sense, the discretion and the patience which made its prolongation possible. No one of these was more valuable to his country from the outset than John Murray Forbes, of Boston. He was present at the very beginning, to take part in that wise divergence of the Northern troops through Annapolis which really saved Washington, a measure which originated with a plain railway superintendent and was opposed strongly by General Butler, although he characteristically claimed the credit of it when it succeeded. Forbes was practically, in his own phrase, "Secretary of the Navy for Massachusetts," at the outset, purchasing provisions and drawing on his own nautical experience for the instruction of captains. He was one of the half-dozen men who organized the great Sanitary Commission and sustained it. He vibrated between Boston, New York and Washington, always bracing up the financial side of the war and steadfastly keeping his own name out of print. He organized the New England Loyal Publication Society, of which he was president. He heartily sustained General Hunter's early efforts to enlist colored troops, long before Governor Andrew was permitted to undertake it. He was sent to England by the Secretaries of State and of the Navy with authority to arrange a loan of a million sterling on the security of twenty million dollars in five-twenty bonds, and, by his courage and fidelity, carried through ultimately his purpose, although at first sight it appeared a failure. He spent two years of the war in Washington with his family, expressly to retain his opportunity of usefulness, and was always the same keen, fearless, influential adviser.

When peace came, he put his great energy into railroad building and in his hands the Chicago, Burlington and Quincy Company grew from a mere feeder of the Michigan Central, 150 miles long, into the vast organization of to-day operating over seven thousand miles of railroad. Judge Hoar said that in the Civil War John Forbes "did more for his country than any other private citizen and we owed our success as much to him as to any other man"; and unlike many men who had distinguished themselves in the war, he at once turned to the works of peace and was almost equally useful there.

The descendant of an old Highland clan whom he himself dismissed as "probably a set of old cattle thieves," he had an intense family feeling and exercised a responsibility for all his kindred to the sixth generation. His mother being a Perkins, he shared the great prosperity of the Boston commercial house of that name, went from Round Hill School to their counting-room in Boston, swept out the store as youngest clerk, and was sent at seventeen to Canton, consigned to Mr. J. P. Cushing, his cousin, who had been twenty-five years in China and was returning home with a fortune—the first of the long line of Boston millionaires. "You know," young Forbes writes of Mr. Cushing, "that we have always looked upon him as many degrees higher than the Pope in all his glory, and I expected to feel a proportionate degree of awe in his presence" (I. 57). This was an amusing tribute to one of the simplest of men, who used to say that the chief advantage of his fortune was that he could wear old shoes. Returning home for a time, Forbes was married before he was twenty-one, and was soon sent out to China again. It is amusing to find him writing to his brother in 1836 cautioning him above all things not to invest some little savings in railroads, on the ground that they would prove a failure. He writes "I have good reasons to believe, from all I can learn of the English railways, that ours will prove a failure after the first few years; the wear and tear proves ruinous. At any rate keep clear of them" (I. 81). This from one who was subsequently among the railway kings of the country is sufficiently instructive.

His life-long anti-slavery feeling was due, as in the case of many others, to the murder of Lovejoy. He was present at the Faneuil Hall meeting and heard Wendell Phillips's famous speech. "I had never before heard his name, and few people outside of his class in college knew him as a man of talent. Up to that time I had been neutral or indifferent on the subject of slavery. That speech changed my whole feeling with regard to it, though the bigotry and pig-headedness of the abolitionists prevented my acting with them" (I. 100). Twenty-five years later, during the war, he wrote in somewhat similar strain to Mr. C. B. Sedgwick, who had just made an emancipation speech in Congress. "Treble conservative as I am, I sometimes get so disgusted with the timidity and folly of our moderate Republicans that I should go in and join the abolitionists if these last were not so arbitrary and illiberal that no man of independence can live in the house with them" (I. 317). This treble conservative attitude was the sort of self-delusion with which many

worthy men consoled themselves for their own radical action. It did not prevent him from being a persistent advocate of free trade (II. 222) and of woman suffrage (II. 205) or from bolting permanently from the Republican party on the nomination of Blaine.

Nothing can be more delightful than the daughter's account of his life amid the leisure of later years, especially in his summer home at the Island of Naushon. Mr. Emerson says of him there "Mr. Forbes at Naushon is the only 'squire' in Massachusetts, and no nobleman ever understood or performed his duties better . . . How little this man suspects, with his sympathy for men and his respect for lettered and scientific people, that he is not likely ever to meet a man who is superior to himself" (II. 111, 112). The whole book is admirably edited and written, with the simple affection of a daughter and in what Macaulay calls "clear woman's English."

THOMAS WENTWORTH HIGGINSON.

The End of an Era. By JOHN S. WISE. (Boston and New York : Houghton, Mifflin and Co. 1899. Pp. 463.)

THE era of whose end Mr. Wise writes is the life and thought which characterized Virginia and a part of the South, before the Civil War. When its end came in 1865, he was only a boy of eighteen. But, his father being a prominent man, he had excellent advantages for observation then; while information and thought of later years have evidently added much. The student of American history will not dwell long on this book, but will get from it, besides entertainment, several instructive pictures of the old régime in Virginia and of the hard struggle of the Confederacy. Touching is its record, for instance, of the part of the conscientious mistress of a small plantation. Sick or worthless servants could not be given over to a hospital or be discharged; she had burdens of care which were unknown where service was free. But that close tie between master and servant which the author saw in his own home, he did not find carried out on extensive plantations. A very striking picture is given of a slave-auction in Richmond from which, as a "night-mare," he went home "sick at heart." That slavery is gone he thanks God—"it was a curse, and nobody knows better than I the terrible abuses which were possible and actual under the system." He is equally frank about duelling (and one of his brothers, in defence of his father's reputation, fought eight duels in two years)—how absurd, he says, how utterly Quixotic it was as a way of settling personal differences! Another good picture is given of society life which centered in Richmond. We see how, while the favored class had many opportunities, conditions in society as a whole were far from democratic. Mr. Wise states fairly the position of the overwhelming majority of Virginians in 1861. They did not wish either war or disunion; but, taught to believe that the claim of a state on its citizens came before any claim of the general government, they had to answer the question, when Carolina fired on Sumter and federal troops were called out, on which side they should fight! The

poverty of the Confederacy is well shown. Currency certificates were issued even by individuals—as by one fellow in Richmond, whose office was a small shed in a vacant coal-yard, containing a table, a small safe, a stack of sheets of bills and a stout pair of shears, and whose means of redemption were unknown. Iron became so scarce that furloughs were offered the soldiers as prizes for the most scrap iron collected, and men were known to start for shells even before they had exploded! The need of soldiers brought all men of fighting age into service, and age-limits were stretched far. Of the Wise family, within three years, the ex-governor, three of his sons and nine nephews had enlisted; and two of them had been killed and six wounded. Our author did some thrilling despatch work for General Lee, at the close of the war. The General then told the boy that the war was nearing the end which he had expected from the first. When Wise reached Richmond with some of the flotsam and jetsam of the Army of Virginia, he found men of the highest social standing trying to earn a living by any kind of work, some of it work like driving depot-wagons, which the negroes, busy in celebrating their freedom, had given up.

Mr. Wise accepts gladly the new era, but wishes that the old era may not be misunderstood. He makes one statement, which is heard occasionally, apparently taken for granted on general principles, that the Virginians, being opposed to slavery, would have worked out some practical plan for gradual abolition but for the abolitionists. He goes so far as to lay the blame on John Brown, saying that it was hard that the course of events toward emancipation should have been warped by one mad man. Recalling that such men as Washington and Jefferson found public opinion in Virginia, soon after the Revolutionary War and before the invention of the cotton-gin, opposed to any measure for abolition, we believe that any plan for it suggested by a Virginian after cotton had become a power and slavery had gotten into politics would have been as unacceptable to the South as the logic of Mr. Lincoln's Springfield and Cooper Union speeches, with which Mr. Wise even now is not much impressed.

The general reader would value this work more if some details which are not of general interest, together with a few adjectives here and there, had been omitted.

Nos Estados Unidos. Impressões Politicas e Sociaes. Por [MANOEL DA] OLIVEIRA LIMA, da Academia Brasileira. (Leipzig: F. A. Brockhaus. 1899. Pp. 524.)

IF it is true, as a writer in the October number of *La España Moderna* declares, that the absorbing thought of all intelligent minds in South America is what is generally called *Peligros Americanos*, in other words, the danger of annexation and absorption by the United States, then any contribution to a better understanding between Latin-America and ourselves will promote in no small degree, the advancement of peace and

the best interests of American civilization. Such a work has been undertaken by the Secretary of the Brazilian Legation in Washington in a series of essays published during the last four years in the *Revista Brasileira* and in letters to the *Rio Jornal do Commercio* and now collected under the above title.

Mr. Oliveira records his impressions and reflections under the following titles: "The Negro Problem"; "Effects of Immigration"; "Characteristics of the People"; "Influence of Woman"; "Society"; "The Political Fashion-Plate"; "Catholicism and Education"; "American Authors"; "Foreign Policy"; "Relations of Brazil with the United States"; "Colonial Policy." An American reader will naturally turn first to the last three chapters and to the one on the negro problem. In regard to this question in our Southern states, Mr. Oliveira sees no solution until the whites feel absolutely assured of their supremacy and security and the negroes resign themselves to social inferiority. It is uncertainty as to the future and, at bottom, the fear of the lapse of European civilization that gives occasion to the horrors of lynching. In Brazil, in the absence of so violent a race prejudice, the problem is different. What is there needed is a vigorous reinforcement of the white element by European immigration to prevent the decay of culture that otherwise will follow amalgamation.

Our foreign policy has been characterized, Mr. Oliveira says, by two qualities: Continuity and energy. In regard to our predominance in America he remarks: "Although at the end of the century we find a Chile abounding in energy and an Argentine people rich in its future, no American Republic can, even imperfectly, compare with the United States in the spread of a fusing population, in industrial development, in intellectual, not merely literary, progress, in energy, wealth, and splendor. The preponderance, then, of the United States is more than an obvious purpose, it is a necessary condition, and an inevitable result" (p. 365-366). On the other hand, "To express apprehensions of absorption is to confess inability to cope with the conflicts of civilization" (p. 453). As a whole the review of our foreign policy is an admirable specimen of impartial history.

In discussing religion the author says that American Catholicism, without a shadow of doubt, will be the Catholicism of the future. In the United States "the Roman system, nineteen centuries old and essentially progressive in its unchangeableness, shows itself to-day less reactionary, more liberal, more evangelical, in a word, more Christian than elsewhere." The opening sentence of the long chapter on our domestic politics, entitled "The Political Fashion-Plate," reveals the motive of Mr. Oliveira's conscientious and faithful portrayal of our national life and character. "The United States are, to-day, our fashion-plate in politics as was England in the time of the Constitutional monarchy, and our legislators now have recourse to Hamilton and Marshall, Story and Cooley as they formerly appealed to Blackstone and Bagehot, to Freeman and to Macaulay." The good and the bad sides of our politics are

set forth with a poise of judgment and a scientific detachment that remind one of Bryce and Tocqueville. That like both of these great publicists, so careful a student and observer from South America as Mr. Oliveira proves himself to be should feel and show a sincere admiration for the United States is a legitimate cause for gratification. A translation of this book into English would be welcomed here, but a translation of it into Spanish would render a great service to the cause of inter-American comity and friendly understanding.

EDWARD G. BOURNE.

The *Transactions of the Royal Historical Society*, Vol. XIII., contain the usual amount of interesting matter. Mr. C. H. Firth, in "The Raising of the Ironsides," describes the arms, equipment, horses, pay, maintenance, medical and religious organization, and discipline of Cromwell's famous regiment, with some words upon the Squire imposture, and five notes of Cromwell's from the Exchequer MSS. in the Record Office. The paper contains several additions to the studies of Colonel Ross and Alfred Kingston, but differs from the former in describing Cromwell's troops as harquebusiers and not cuirassiers. F. Hermia Durham, "The Relation of the Crown to Trade under James I." (the Alexander Prize Essay for 1898), discusses the economic changes of that time in commerce, agriculture, and currency. Dr. James Gairdner, "The Fall of Cardinal Wolsey," asserts the injustice of the Parliamentary procedure against Wolsey. And Mr. Frank H. Hill, in "Pitt and Peel, 1783-4, 1834-5," treats some questions of cabinet government.

There are also two papers in the field of general European history. In the first of these, "Politics at the Council of Constance," the Rev. J. N. Figgis holds that the Council of Constance first exhibited the conflicts of pure politics on the grand scale, in affirming the constitutional doctrine of popular sovereignty, and in exalting the principle of utility to the level of a divine ordinance. In the second, the "Origin and Early History of Double Monasteries," Miss Mary Bateson takes issue with M. Varin, who, in his *Mémoire sur les Causes de la Dissidence entre l'Église Bretonne et l'Église Romaine*, 1858, sought to prove that St. Rhadegund's foundation at Poitiers was the first example of a double monastery, or monastery for men and women, in Western Europe, and of Irish origin. Miss Bateson shows, with abundant evidence in support of her conclusions, that double monasteries arose in many countries and at many times as the natural sequel to an outburst of religious enthusiasm.

History of Ancient Philosophy. By Dr. W. Windelband, Professor of Philosophy in the University of Strassburg. Authorized translation by Herbert Ernest Cushman, Ph.D., Instructor in Philosophy in Tufts College. From the second German edition. (New York, Scribner, pp. xv, 393). This volume is a translation of Professor Windelband's *Geschichte der Alten Philosophie*, which for several years has been accessible

to the students of Greek philosophy in the series of Dr. Iwan von Müller, known as *Handbuch der klassischen Altertumswissenschaft*. It covers substantially the same ground as the first two hundred and sixty-two pages of his general *History of Philosophy* (translated by Professor Tufts). The method of treatment in the present volume is, however, sufficiently different to render it more than a duplication of what appears in the larger work. In his general *History of Philosophy* the treatment has special reference to the problems and concepts of philosophy and is determined throughout by a rigorous endeavor to trace their logical development. While Professor Windelband always emphasizes this pragmatic factor in his historical writing, the present work contains a fuller treatment of the life and personality of the individual philosophers and follows in the main the chronological order. The result is that the reader has before him in successive pages the entire contribution of each thinker, instead of being compelled to construct that contribution from the more or less fragmentary and scattered discussions of the larger books. This is an obvious advantage for the general reader as well as for the student who is just beginning his studies in the field of philosophy.

Elements characteristic of Professor Windelband's interpretation of Greek philosophy appear in several parts of the work. Among them may be noted his treatment of the pre-Socratic philosophers who succeed Parmenides and Heracleitus. They are all regarded as attempting to find a mediating theory between the antithetic views of these two great thinkers. Here he includes the Pythagoreans, whom he sharply differentiates from the moral and religious reformer whose name they bear, but who is himself little more to us than a name. Almost no certain information concerning him has come down to us and the myths and legends which gather about him increase in bulk in direct proportion to the lapse of time.

Insisting with Professor Diels and other modern critics that the date of Democritus' birth is not to be placed earlier than 460 B. C., Professor Windelband brings his materialism into direct contrast with the idealism of Plato. He is thus able to present very effectively at this early period the opposition of a mechanical and a teleological view of the world.

Treating the post-Aristotelian period under the title of the "Hellenistic-Roman period," he not only includes here the schools usually studied, but offers a brief discussion of Patristics as well.

The English translation of Dr. Cushman is a creditable piece of work and will not a little extend the usefulness of an excellent piece of historical exposition. Professor Windelband's work is, I think, the best handbook of Greek philosophy extant. It is much more full and complete than Zeller's *Grundriss*, and as a scientific treatment is incomparably superior to the various elementary manuals which have been prepared in this country.

WALTER GOODNOW EVERETT.

The Messages of the Later Prophets, arranged in order of time, analyzed, and freely rendered in paraphrase. By Frank Knight Sanders, Ph.D., Woolsey Professor of Biblical Literature in Yale University, and

Charles Foster Kent, Ph.D., Professor of Biblical History and Literature in Brown University (New York, Scribner, 1890, pp. xx, 382). This is a companion to *The Messages of the Earlier Prophets* by the same authors (1899). As is set forth in the title, the discourses of the prophets are arranged in chronological order so far as their age can be determined. Each section is preceded by an introduction on the prophet, the times, and the occasion of the utterance, where this is known. The substance of the prophetic message is then reproduced in a condensed paraphrase, with explanatory titles, and marginal notes indicating briefly the contents of each paragraph and giving running references to the English version, to which the paraphrase may thus serve as key. There is also a general introduction on the distinctive character of exilic and post-exilic prophecy, an analytical table of contents, an appendix on the Messianic Element in Prophecy, and one on the relation between the Messages of the Prophets and that of Jesus; an annotated list of books of reference, and an index of Biblical passages.

The conception and general plan of the work is excellent. The difficulty of reading the prophets intelligently in the English Bible is so great—it may truly be said, so insuperable—that, for the most part, they are little read and less understood. To open their meaning and significance no better way could be devised than an interpretative paraphrase with historical introductions; and it cannot be doubted that to many intelligent readers these volumes will shed a new and welcome light on these obscure writings.

The execution of the plan is not in all respects so felicitous as its conception. It is doubtless very hard to make a paraphrase which shall not grate on the literary sense of the reader, familiar with at least the diction of the English Bible; but in the present volume this difficulty seems not to have been sufficiently kept in mind. The result is not infrequently something more than an infelicity; we get a false impression of the prophet, when the opening words of Ezekiel, "In the fifth year" (after the deportation of Jehoiachin), are diluted as follows: "In the fifth year of the *sorrowful* exile of Jehoiakin and his people in *far-off* Babylonia," where the words I have italicized add a touch of misplaced pathos wholly foreign to Ezekiel.

GEORGE F. MOORE.

A History of New Testament Times in Palestine, 175 B.C.—70 A.D. By Shailer Matthews, A.M., Professor in the University of Chicago (New York, Macmillan, 1899, pp. xi, 218). This work is to be welcomed as one of a useful series of New Testament handbooks under the general editorship of Dr. Matthews. Judging the series by this excellent manual it is likely to answer very satisfactorily the needs of the general reader and the theological student. As the title indicates, the view is limited to Palestine, and the materials relating to Greek and Roman life, used by Hausrath, as well as Schürer's treatment of Alexandrian Judaism, have here no place. The exclusion of Alexandrian Judaism would seem to be a defect, as the volumes announced for the

series seem to make no provision for these facts. The Epistle to the Hebrews would suggest a need for information of this sort. Compared with O. Holtzmann's *Neutestamentliche Zeitgeschichte*, the book has merits and defects. It surpasses that brief German handbook in the fullness and interest of its narration, but it is defective by the omission of features of social history.

After the work of Schürer it would seem difficult to offer a new and fresh narration of Jewish history in this period, but the author's independent examination of the subject with the aid of an abundant literature, especially of the latest monographs and results of Palestinian exploration, has enabled him to present the subject with precision and sound judgment. On many disputed matters connected with the beginning of Christianity, Dr. Matthews expresses himself with caution and sagacity. The theological teacher will give this manual a hearty welcome.

FRANCIS A. CHRISTIE.

Dr. Felix Dahn is carrying rapidly forward the eighth volume of his *Könige der Germanen, Abtheilungen* fourth and fifth having appeared since our last issue (Leipzig, Breitkopf und Härtel, pp. 260 and 359). Nearly the whole of the fourth (213 pages) is occupied with the judicial system, with especially interesting sections on the King's court, which Dahn thinks has now more of the character of a court of equity than he will allow to it in Merovingian times, but less than Brunner finds in it, and on the *Schöffen*. An account of the administrative system concludes the part, the last section of which is a brief and unsatisfactory discussion of Charles's educational reforms, introduced, however, by a good bibliography. The fifth *Abtheilung*—except 20 pages at the end on embassies and treaties—is nearly equally divided between the financial system, which is discussed in minute detail, and the ecclesiastical organization. This last opens with a valuable account in twenty pages of the work of Boniface, and gives forty pages to relations between church and state, and one hundred and forty to the constitution proper of the church.

Scotland's Ruined Abbeys, by Howard Crosby Butler, A.M., sometime Lecturer on Architecture in Princeton University (Macmillan, pp. xx, 267). A handbook to the Scotch abbeys, written for American readers, and combining scientific accuracy with an adequate regard for the more popular and romantic aspects of their history and associations—this is the desideratum and this the difficult task which Mr. Butler has had in mind and has endeavored to meet. In attempting this he has written *con amore* of some eighteen abbey-ruins, giving of each a brief but intelligent description, followed by a few pages of historical summary. To do this within the limits of a small handbook requires the utmost condensation, and a very rare discrimination in presenting the *conspectus* of the troubled history of these abbeys. Mr. Butler's style is loose and easy rather than concise, and as between the architectural and romantic interest of his subject, he sometimes fails of quite doing justice to either.

In selecting and rejecting material, he has apparently assumed that the reader would care only for what has interested him. This assumption does no harm in books of travel, but has its drawbacks in a handbook for prospective tourists. It was an error to suppose that these would care only for ruined abbeys. It is true that purchasers are warned by the title what to expect within the covers: but how many among them are aware, until they have examined the contents of the book, that Elgin—most beautiful of Scotch ruins next to Melrose—was always a cathedral and not an abbey? Why, moreover, should St. Andrew's and Inchcolm and Paisley Abbeys have been wholly omitted from the book—above all when Haddington Priory is included, upon the slender possibility—quite generally discredited by modern authorities, that it may, after all, have been originally an abbey church? Most travellers in Scotland will be quite as anxious for information about Kirkwall Abbey, which is not ruined, and about Elgin, which is ruined but not an abbey; about Dunblane and Paisley and St. Andrew's, about parish churches like Rosslyn, Ladykirk, Linlithgow and Leuchars, about St. Giles in Edinburgh and St. John's at Perth, as about Crosraguel and Beaulieu and Whithorn. Mr. Butler's restriction of his theme, though seemingly logical, is really arbitrary.

Granting this restriction, however, the book reads easily and pleasantly enough; the general treatment is intelligent, the information correct, and the style, in spite of occasional lapses, agreeable and without affectation. Double-leaded lines, large type, broad margins and heavy paper make a solid and handsome volume out of what might have been compressed into a pocket-manual; and this, with the absence of the statistical information essential to a guide-book, shows that the author designed it to be read by the homestayer and the prospective tourist rather than by the traveller *in esse*. The author's illustrations, which are not without merit, might well have been supplemented by an equal number of photographic prints, for the benefit of this class of readers. Sufficient indexes and tables of contents and illustrations accompany the book, which is attractively bound and beautifully printed.

A. D. F. HAMLIN.

The Receipt Roll of the Exchequer for Michaelmas Term, xxxi. Henry II., A. D. 1185, is in several respects a remarkable book. The record which it permanently preserves is a unique fragment, so far as is known; for while there is in existence a series of receipt rolls extending from 1236 down, it appears that a change of system took place between the seventeenth and the twenty-first years of Henry III., and that while certain earlier specimens of the same reign are preserved, no other of Henry II.'s time is known, though the *Dialogus de Scaccario* gives evidence of their existence, and to some extent of their use. Fortunately the record is for a year (or rather for half of a year) for which the Pipe Roll is extant, and, closely as the two resemble each other, the comparison brings out many interesting facts as to the fiscal system of King Henry. This precious document has been made the subject of study during the two

past years by the class in palaeography which has been conducted at the London School of Economics and Political Science by Mr. Hubert Hall, F.S.A., of the Public Record Office. The volume now brought out is therefore "the first fruits of organized palaeographic instruction" in England. It is presented sumptuously, the membranes being all photographed and reproduced in thirty-one beautifully-executed collotype plates. The manuscript has been transcribed, extended and edited by the class, and the results of their work appear in the pages of letter-press which face the plates,—text and notes, and for comparison the text of the corresponding entries in the Pipe Roll of the year. A preface by Mr. Hall sets forth the relation of the document to the fiscal history of the reign of Henry II.; and the class supply an elaborate index. The volume may be obtained from the School, 10 Adelphi Terrace, W. C., London.

Études sur quelques Manuscrits de Rome et de Paris. Par Achille Luchaire, Membre de l'Institut, Professeur d' Histoire du Moyen Age à l'Université de Paris. [Université de Paris, Bibliothèque de la Faculté des Lettres, VIII.] (Paris, Alcan, 1899, pp. 173.) The studies which M. Luchaire has here brought together are the fruit of investigations in the rich collections of the Queen of Sweden in the Vatican Library and in certain related manuscripts at Paris. The documents discussed are somewhat miscellaneous in character, but fall for the most part within the period of the early Capetians which the author has made so peculiarly his own. In some instances, as in the case of the works of Suger, the chronicle of Morigni, and the historical fragment attributed to Foulques of Anjou, M. Luchaire has done no more than call attention to new manuscripts which render possible more satisfactory editions of texts already published. Other material is fresher, like the cartulary of St. Vincent of Laon, heretofore supposed to have been lost, and a number of documents relating to Soissons; while an examination of various copies of the *Miracula Sancti Dionysii* leads to important conclusions as to its date and composition, and incidentally as to the date of the *Gesta Dagoberti Regis*, which served as one of its sources. The longest of the *Études* concerns a mass of letters emanating from the abbey of St. Victor at Paris in the reign of Louis VII. which are here printed or analyzed, most of them for the first time, to the number of two hundred and twenty-four. Besides its value for the general history of the Victorines, the correspondence yields new information for ecclesiastical biography and adds some new facts of political history, particularly for the somewhat obscure region of lower Brittany. The intellectual life of the Loire valley also finds illustration in the letters of a certain Hilaire, professor at Orleans, and the correspondence of various students at Orleans and Angers with their clerical patrons. While these letters, as usual, deal mainly with the commonplaces of medieval student existence, they have not been shorn of their individuality by the rhetoricians, and there is plenty of human interest in the appeals for money and suitable clothes,

and in the consignment of "a ham split through the middle and a *mina* of white peas" which the recipients are ordered not to share with their comrades. The volume closes with a rough list of manuscript materials for French history contained in the collection of Queen Christina.

CHARLES H. HASKINS.

In a little pamphlet entitled *Robin Hood: the Question of his Existence discussed more particularly from a Nottinghamshire Point of View* (Worksop, 1899), Mr. A. Stapleton presents what he calls a counterblast to Hunter, who in 1852 discussed the renowned outlaw from a Yorkshire point of view. The most I can say for the rival claims and arguments of these local antiquaries is that they are mutually destructive. The Robin Hood of legend belonged not to this place or that, but to all; and no place, I suppose, would care to own the historical Robin Hood, provided there was one. But students of folklore will have more to say about this yet.

W. D. J.

Essai sur le Règne du Prince-Évêque de Liège Maximilien-Henri de Bavière. Par Michel Huisman. (Bruxelles, Henri Lamertin, 1899, pp. 198.) Within the narrow limits of this volume, M. Huisman has essayed not only to describe the governmental system of the principality and city of Liège in the middle of the seventeenth century, but to indicate as well the transformations wrought in the communal and national institutions by the political events of the latter part of the century. Notwithstanding the very evident difficulties of the task the author has done his work with commendable skill.

The first chapter begins with a succinct but lucid review of the peculiar international position of Liège, a position fraught with most vexing problems for its prince-bishop, owing both to the mixed character of the principality and to its geographical situation. The author's analysis of the communal constitution of Liège is less satisfactory; one could wish that M. Huisman had given us a glimpse, at least, of those economic and social conditions that made the crafts and guilds so important a part of the municipal organization.

The author is at his best in those chapters in which he follows the fortunes of Liège through the storms of European politics in this troubled period. Although Maximilian-Henry appears in history both as Archbishop of Cologne and as Bishop of Liège, his titles do not hide his personal insignificance. From the beginning of his reign he was the dupe of two of his countrymen—companions of his boyhood—the brothers Fürstenberg, who had sold themselves to Louis XIV. of France, and who directed the politics of the Rhenish principalities wholly in the interest of their paymaster. It was they who drew Maximilian-Henry into an active alliance with Louis XIV. against Holland; it was they who prevented the defection of the prince, when the Grand Alliance was formed to check the aggressions of France; and finally, when Liège, devastated by friends and foes alike in the wars that followed, sought to revive its communal

independence, it was one of these Fürstenburg brothers again, who appeared at the head of German troops and awed the city into abject submission. A like fate awaited other communities of the principality; and on the ruin of communal liberties rose undisputed the absolute rule of the prince-bishop of Liège.

While M. Huisman has borrowed largely from the works of the other historians, notably from the studies of M. Lonchay, he has himself searched the archives at Brussels and at Liège, and the results of his industry are a genuine contribution to the history of the Rhenish principalities.

ALLEN JOHNSON.

How England Saved Europe. The Story of the Great War, 1793-1815. By W. H. Fitchett, B.A., LL.D. In four volumes. Vol. I. From the Low Countries to Egypt. (New York, Scribner, pp. viii, 361.) This work, which appears to be largely a compilation from secondary sources, is not a military history of Europe in the Revolutionary and Napoleonic age; it treats only of those operations in which Great Britain directly shared during the wars from 1793 to 1815. For the purposes of his narrative Dr. Fitchett has divided the interval into six periods, of which three are covered in the present volume: the *first* from 1793 to the establishment of the Directory in 1795, the *second*, from 1795 to the battle of Camperdown in 1797, the *third*, Bonaparte's expedition to Egypt in 1798. The fourth, fifth and sixth periods consist respectively of the naval operations between 1801 and 1808, the Peninsular War, and the Waterloo campaign in 1815. This division, so far at least as concerns the earlier periods, will not command unqualified assent. A convincing reason for the division at 1795 is not apparent. A broad view of the war between 1793 and 1797 will show but little variation of its essential feature—uniform British success at sea as against like French success on the Continent. The division at 1797 is better grounded. At this point the duel between Napoleon and England begins, and the transfer of the scene of conflict to Egypt marks the expansion of the contest into a colonial war.

The execution of the work leaves much to be desired. If the author, as appears likely, is addressing himself more to the general public than to historians, one will not be too exacting; this extenuating circumstance will not however cover all the defects of his work. Dr. Fitchett's judgment seems apt to be faulty. He believes, for instance, that Wellington was equal to Bonaparte in military genius. He also disputes Professor Seeley's opinion that the Napoleonic wars were at bottom a colonial struggle between Greater France and Greater Britain; yet he admits that in the contest Napoleon sought and England secured a world-empire. Another defect in the work is its literary style. It is characterized by a none too successful attempt at brilliancy which at times ventures upon expressions bordering upon literary vulgarity. There is also a lack of due proportion in the narrative and a consequent loss of perspective. An entire chapter is devoted to the career of Bonaparte prior

to 1798—matter interesting enough in itself, but irrelevant, if given at such length in its present connection. Again two chapters are devoted to the minutiae of the insurrection in the English fleet in 1797, which event, since it did not in the end affect the course of the war, is undeserving of the prominence here given it. In fact one has a feeling, on reading this work, that the author has paid undue attention to incidentals and that essentials in consequence are obscured or at least have lost their proper setting. This criticism applies even to the title: *How England Saved Europe*. England waged the war not to save others but to save herself; to her the fact that her salvation was conducive to the salvation of Europe, was merely an incident.

H. M. BOWMAN.

Stories of Great National Songs. By Colonel Nicholas Smith (New York, The Young Churchman Co., pp. 238). Students of musical folk-lore, who are disposed to apply scientific methods in their investigations, give the name of folk-songs to the utterances of the different peoples of the world which seem to have sprung up spontaneously, which are the creations of a whole people rather than of individual composers, and give voice to the joys, sorrows and aspirations of the whole people. Alongside these they range the songs which reproduce the characteristics of folk-songs, but whose authorship can be identified. The best songs of this class, the world over, are those which are made when a people are profoundly moved, as in a time of war. Then a spirit that is akin to the creative spirit of the folk is awakened and the faculty atrophied by culture is reanimated. The wars of the Revolution, of 1812, and the Rebellion, produced the only American songs which can be called national. To these Col. Smith, in a manner that is popular but discouragingly unscientific, devotes the greater part of his book. His contributions to history are negative. It is a singular fact that few of the great national songs have histories that are free from doubt. The Russian and Austrian hymns raise no questions of authorship or time, but the English "God save the King," the melody of which has been appropriated by several German countries, as well as America; the French "Marseillaise" and our own "Star Spangled Banner" and "Yankee Doodle" have long been subjects of controversy. Col. Smith is neither lucid nor instructive in his restatement of these histories. He is plainly ignorant of the German language, for he treats of Arndt's "Was ist des Deutschen Vaterland?" twice in the same chapter, making of it two songs separated by half a century of time. He is also unfamiliar with musical terms and musical history, and has no judicial faculty. Any story that has once been printed he accepts as a fact, unless its correctness was challenged in the book or newspaper in which he finds it. He cannot see so obvious a thing as that the author of "The Star-Spangled Banner" must have written it with the melody of "To Anacreon in Heaven" in his mind, and that all tales of how an actor named Ferdinand Durang consorted Key's words and the tune of the constitutional song of the Anacreontic Society, are palpably foolish. No tune was better

known in America at the beginning of this century than "To Anacreon in Heaven." Robert Treat Paine wrote "Adams and Liberty" to the tune in 1798, and either as "Adams and Liberty" or "Jefferson and Liberty" it had been sung throughout the length and breadth of the United States for fifteen years before the battle of Fort McHenry which inspired "The Star-Spangled Banner." Newspaper stories are not good history, but as he has compiled them they are the only contributions which Col. Smith makes to the literature of the subject he has undertaken to treat. It will be a pity if some of them get into musical, literary or political history because they have been put between binder's boards. The tale that Col. Smith tells about the audience at the Metropolitan Opera House in New York drowning the orchestra with cheers and singing "The Star-Spangled Banner" a week after the destruction of the battleship *Maine* is so gross an exaggeration as to be set down as wholly apocryphal. The only demonstration of the kind at the Metropolitan Opera House was at a Thomas concert, the final number of which was an overture which ended with the national air. The people rose to their feet and cheered when the music ended.

A Letter Book and Abstract of Out Services, written during the years 1743-1751 by the Rev. James MacSparran, Doctor in Divinity and sometime Rector of Saint Paul's Church, Narragansett, Rhode Island. Edited by the Rev. Daniel Goodwin, Ph.D., lately Rector of the same Parish (Boston, D. B. Updike, 1899, pp. xlv, 197). James MacSparran was a missionary of the "Propagation Society" sent to America in 1721 to officiate at Narragansett in New England and in parts adjacent "as opportunity shall offer." For thirty-six years he lived in the "Narragansett Country," a part of Rhode Island inhabited by opulent landowners who lived in patriarchal state upon great estates. Among these large proprietors the young missionary quickly secured a commanding influence, and with them he always lived on terms of great intimacy. His house stood on what was then one of the great arteries of travel and so almost all the influential men of the colony came in time to enter its doors. During the years 1743, 1744, 1745 and 1751 Dr. MacSparran (the University of Oxford had made him a Doctor of Divinity) kept the Diary which has now been published. The manuscript, after having lain unnoticed for many years in the garret of the late President Caswell of Brown University, at last came into the hands of the Rev. Daniel Goodwin, one of the successors of the diarist in the rectorship of the Narragansett Church. Dr. Goodwin has edited it with exceeding care. For the historical student the diary throws much light upon the customs and habits of the times, while the editor's scholarly notes so illumine the whole period as to make the life of Narragansett plain to all readers. The Diary covers sixty-seven pages; the notes (placed at the end of the book) cover one hundred and five. One of the first notes calls attention to the use of the word *Convention* to describe a meeting of the clergy in 1743. Another emphasizes the influence of the ideas of Roger Williams's successors in

the immersion of candidates for baptism by the Narragansett rector. (This influence, by the way, is even now potent in some parishes of the Episcopal Church in Rhode Island where immersion is still practised.) Frequent entries in the Diary show that Dr. MacSparran was a healer of bodies as well as of souls. He was also obliged to keep open house (like his neighbors). One day nine guests dropped in to dinner. Another entry records twelve callers that day. References to his "chair" show that wheeled vehicles were not unknown in the land of the "Narragansett Pacer," and the names of the doctor's own horses hint at the thriving commerce then carried on with the West Indies. The item on sheep-shearing recalls the festivities of a people who loved to make merry and to be glad, while the casual mention of a bear shows that wild animals were by no means infrequent. Ordinarily the writer was tolerant toward all men, yet he could not endure what he was pleased to term the "pestilent heresy" of the Quaker. But the thing that troubled the righteous souls of the missionary and of his excellent wife most of all was the servant question. Continually were they vexed by the lapses of their negro slaves. The lash did not seem to produce lasting effects though it was frequently used. Not without reason did the Doctor pray "O th' God would give my Servants the Gift of Chastity." The book is printed in the admirable style that marks everything that comes from the Merrymount Press.

WILFRED H. MUNRO.

Nooks and Corners of Old New York. By Charles Hemstreet. (New York, Scribner, 1899, pp. 228.) This book is one of the numerous evidences of the increased interest in colonial matters and in "local color." New York is at once a city of a comparatively gray antiquity, a place of abundant historical reminiscences, and a headquarters for various patriotic and antiquarian societies. Probably for these reasons it has lately been furnished with a considerable number of useful memorial tablets. A book dealing with its "nooks and corners" was therefore inevitable; and such a book, properly conceived and executed, should be welcomed.

The present work, attractively printed and quite fully illustrated, is planned on topographical principles. Beginning at the Battery the author journeys up-town to beyond the City Hall, confining his notice to the eastern section. Returning to his starting-point he thence proceeds up Broadway, turning aside to visit the ancient Greenwich Village, Washington Square, and Chelsea Village. Retracing his steps to Cherry Hill he passes up the island, this time on the "East Side," noting the Stuyvesant farm region, Astor Place, Grace Church, Union and Madison Squares, and Bull's Head Village, and ends his wanderings at Central Park. The localities along these routes are treated *seriatim*. Taking a certain house-site or corner the author mentions its antiquarian importance, with frequent use of dates and names, but no references or citations of authorities. Similarly he explains the evolution of streets like Canal and Wall, the disappearance of hills and ponds, and the absorption

of hamlets. The book does not leave Manhattan and even for the island it is silent regarding the entire northern half.

The omission of authorities deprives the work of much historical value. On page seven reference is made to the site of the ancient Stad-huis, at 4 and 6 Pearl Street, according to a tablet by the Holland Dames—at 73 Pearl Street, according to a tablet by the Holland Society. On page 135 the execution of Nathan Hale is assigned to the vicinity of Cherry Street, while on page 38 allusion is made to the other opinion that the hanging took place in City Hall Park. It is obvious that on such controverted points the authorities should be clearly stated. The object of the writer was however not to produce an exhaustive history of the island or even a scholarly monograph, but to accompany the reader in a series of interesting strolls. It cannot be said that he has satisfactorily accomplished this purpose. There is little of literary charm, and in many places the lists of house-sites read like a Catalogue of the Ships. In fact the strict adherence to the topographical plan and the hurried succession of short notices render the book a species of Baedeker. Yet the publication of such a treatise is gratifying, as indicative of the renaissance of interest in that long neglected field—city history.

EDMUND K. ALDEN.

* A cordial welcome must be extended to the *South Carolina Historical and Genealogical Magazine*, which the South Carolina Historical Society began to issue in January under the editorial charge of its secretary, Mr. A. S. Salley, Jr. The magazine evidently starts out with the wise purpose of devoting most of its space to the publication of original documents relating to South Carolina history. The present number contains 75 pages of such matter and 15 pages of genealogy (the Bull family), while the remaining 28 pages are devoted to notices of books and magazine articles, to notes and queries and other such matters relating to the Society or to the history of the colony and state. The most interesting of the documents is that first printed, a long letter from Jefferson to Justice William Johnson of the United States Supreme Court, dated June 12, 1823, and dealing with the history of parties and with the decisions of Chief Justice Marshall in *Marbury vs. Madison* and *Cohens vs. Virginia*. Jefferson's feeling towards Marshall is evinced characteristically in his animadversions upon these decisions; but not less so when in speaking of party history he says: "What a treasure will be found in Genl. Washington's Cabinet, when it shall pass into the hands of as candid a friend of truth as he was himself? when no longer, like Caesar's notes and memorandums in the hands of Anthony it shall be open to the high priests of Federalism only, and garbled to say so much, and no more, than suits their views?" Next, in a considerable body of documents, some of them purely formal, but others exceedingly well worth printing, a beginning is made of the history of the diplomatic services of Col. John Laurens in Europe in 1781. Finally we are presented with an instalment of the papers of the first Council of Safety of the revolutionists in South Caro-

lina, extending from June to August, 1775, and enabling the student to see intimately the details of their management. Among the notes and queries, the legend which attributes to Gen. Charles Cotesworth Pinckney the reply "Millions for defence but not one cent for tribute" is again exploded. The information presented respecting the present status of the Society is most encouraging, and gives ground for the belief that it has entered upon a new era of prosperity and development. In spite of all the losses it has suffered, South Carolina still presents a great amount of valuable historical material for the uses of such a magazine, to which our congratulations and good wishes are heartily extended.

Harahey, by J. V. Brower. (St. Paul, Minnesota, the author, pp. 135.) The second of Mr. Brower's *Memoirs of Exploration in the Basin of the Mississippi* contains the record of his investigations along the watershed between the Great Bend of the Arkansas and the Kansas rivers, in north central Kansas. To historical students, the most interesting portion of his volume is that in which the evidence that this region was once an important centre of aboriginal life is used to confirm the documentary evidence proving that the Quivira and Harahey visited by Coronado in 1541 were in this locality. This location for Quivira has been accepted by most historians of the Southwest for fifty years. Two years ago, however, a serious article in the professed organ of American geographical knowledge, on the True Route of Coronado's march, undertook to prove that the Spanish explorers did not go north of the present Texas. This naturally demanded a fresh examination of the grounds of the belief of those who held to the earlier view. This examination has been made by Mr. F. W. Hodge of Washington, and his results are published by Mr. Brower.

Mr. Hodge has supplemented his analysis of the contemporary Coronado narratives by a careful study, often on the ground, of the topography of the regions through which the several proposed routes go. The result is a surprisingly complete justification of the conclusions of the earlier authorities. In only one instance has he found occasion to make an important correction in the route as laid down by Bandelier, from the Gulf of California through Arizona and New Mexico and across the Buffalo Plains to the Kansas-Nebraska boundary. The narratives state that when Coronado left Pecos, the last of the New Mexican villages, he started towards the northeast to reach the plains. Such a course would have taken him directly into a most difficult mountain country, and Mr. Hodge shows beyond reasonable doubt that the sources are wrong, either through some lapse of the writer's memory or error of the transcriber's pen, and that the Spaniards actually set off towards the southeast. This is the natural course, followed by the Indian trails, and nearly every one of the subsequent details noted in the narrative is easily explained by this assumption of an initial error, whereas the difficulty of understanding these same details, in plotting the route northward, has led to confusion in all the older accounts of Coronado's journey. Mr. Hodge's essay is

a most instructive study, not only of a detail of historical fact, but of some of the important principles underlying the investigation of historical topography.

G. P. W.

Kansas: its Interior and Exterior Life. By Sara T. D. Robinson. Tenth Edition. (Lawrence, Kansas, Journal Publishing Company, 1899, pp. xi, 438.) Mrs. Robinson's book has long been one of the standard authorities upon the early history of Kansas. It covers a relatively brief period, as the first edition was published in the autumn of 1856, scarcely more than two years after the arrival of the pioneer colony of New England immigrants in the territory. While the fate of Kansas may not have been absolutely settled during these two years, they abounded in sensational and critical events, such as the repeated invasions from Missouri, the destruction of Lawrence, the dispersion of the Topeka Legislature, and the arrest of prominent free-state men on charges of treason. Mrs. Robinson wrote in the midst of these events which drew the attention of the whole country; and her narrative is a graphic and trustworthy account of them.

The book also gives us an interesting picture of social and domestic life in the territory, of the limitations and discomforts which accompanied it and of the good-nature and heroism with which they were met. Houses were small, sometimes little more than rough shanties, abounding in every sort of inconvenience, and affording but slight protection against the trying vicissitudes of Kansas climate. Rattlesnakes now and then crept into these loosely constructed habitations, and their presence never failed to create a sensation. Then at times there were fears of famine. For instance we are told that on the second of May, 1855, there was no flour in town. Six weeks had elapsed after Mrs. Robinson had begun housekeeping in the territory before any butter could be obtained and then a jar was brought from Missouri. But she had one unfailing consolation, the magnificent prospect from her home, which was for some years on Mount Oread, now the site of the State University—a wonderful panorama which is seldom surpassed in Kansas or out of it.

The tenth edition of Mrs. Robinson's *Kansas* differs from preceding impressions chiefly in the appendix. In the original text we noticed little change. A few paragraphs have been modified and some footnotes added. The new matter in the appendix relates mainly to Old John Brown. It includes Townsley's "Confessions" and a number of letters and statements. In regard to the authors of these letters and statements Mrs. Robinson says, and few who happen to know them will question her assertion, that they were men "of recognized high character" and have "no personal ends to subserve in what they have said." Townsley's "Confessions" were first printed in *The Lawrence Republican* in 1879. It is now generally admitted that they are substantially, if not absolutely, true, and they have necessitated some change of base and reconstruction of lines among the extreme partisans of John Brown.

LEVERETT W. SPRING.

The *Review of Historical Publications Relating to Canada* for the year 1899 (Toronto, University Library, pp. 229), edited by Professor George M. Wrong and Mr. H. H. Langton, the fourth issue in this valuable series of annual bibliographies, sustains well the credit obtained by previous issues. It bears marks of great industry; not to speak of books, we should imagine that very few pamphlets or magazine articles relating in any way to Canada can have escaped the editors' search. Such careful and critical reviews of the annual historical product must, we feel sure, contribute signally towards raising its level. Geography, economics, and statistics, archaeology, ethnology, folk-lore and education are included along with history. Under the former head there is a special section devoted to Klondike literature.

Discussions in Economics and Statistics. By Francis A. Walker, Ph.D., LL.D. Edited by Davis R. Dewey, Ph.D. (New York, Henry Holt and Co., 1899, two vols., pp. v, 454; iii, 481.) Although the late President Walker was a most prolific worker in the field of economics and statistics for a period of thirty years, he was not primarily a writer of books. The record of the greater, and not the least valuable, portion of his labors is to be found in magazine articles, addresses and official reports. It was therefore necessary to the complete presentation of his work that some collection of the more permanent among these scattered papers should be made, a service which has been fittingly rendered by Dr. Dewey, who succeeded President Walker in the teaching of economics at the Institute of Technology.

These two volumes contain fifty-five out of the much greater number of papers left by President Walker. The discussions are grouped under the headings "Finances and Taxation," "Money and Bimetallism," "Economic Theory," "Statistics," "National Growth," and "Social Economics." Three of the papers, those on "Private Property," "Is Socialism Dangerous?" and "Savings Banks," are now printed for the first time; a few have been rescued from the columns of daily or weekly papers or official documents; others, although they have appeared in well known publications, had become through lapse of time inaccessible to the ordinary reader. Throughout we find the same grasp of principle, keenness of analysis, and clearness and force of expression which characterize the author's more systematic works. Notwithstanding the fact that many of these papers were prepared twenty or more years ago it would be difficult to find to-day, in equally brief form, a more satisfactory treatment of the subjects discussed. The volumes are fully justified by the permanent value of the material which they contain.

While none of the papers are strictly historical in character there are many which will repay study by the student of United States history, especially the papers grouped under the heading "National Growth," in which the author discusses the conditions which have controlled the development of agriculture, manufactures and population in this country; those dealing with the question of debt payment and the disposition of

the surplus in the period following the Civil War; and those which treat of the reliability of census figures and the influence of immigration.

The editor has shown excellent judgment not only in the selection of papers but in the elimination of repetitions which necessarily occur in a series of articles and addresses prepared for different occasions but dealing with the same or similar topics. Preceding each paper is a brief note stating the place and date of publication of the original, and calling attention to any omissions in the present reprint. An index adds greatly to the value of the volumes.

H. B. G.

NOTES AND NEWS

Sir William Wilson Hunter, K.C.S.I., died at Cumnor on February 7, aged not quite sixty. For twenty-five years he was in the service of the government of India, and he wrote many books upon that country and its history, *Annals of Rural Bengal*, *The Indian Empire*, etc. He edited the "Rulers of India" series, and wrote the books on Mayo, Dalhousie and Brian Hodgson. At the time of his death he was engaged in an extensive *History of British India*, of which the first volume appeared last year.

The Rev. R. Watson Dixon, honorary canon of Carlisle, and author of a highly esteemed *History of the Church of England from the Abolition of the Roman Jurisdiction*, died on January 23, at the age of sixty-six.

Dr. Elliott Coues, the celebrated ornithologist, born at Portsmouth in 1842, died at the Johns Hopkins Hospital, Baltimore, December 25. Though his fame was won chiefly in the department of ornithology, he had in recent years performed important services to the history of early travel and exploration in the West and Northwest. His editions of Lewis and Clark, of Pike, of the journals of Henry and Thompson, of Larpenteur, in spite of some unfortunate peculiarities of composition, are monuments of historical, geographical and ethnological learning.

Judge Franklin G. Adams, secretary and founder of the Kansas State Historical Society, died on December 2, at the age of seventy-six. He was secretary of that society from its organization in 1874 to the time of his death, laboring untiringly in its behalf and building up a historical library of eighty thousand volumes (including of late all the issues of every daily and weekly newspaper in Kansas) and twelve thousand pieces of manuscript.

Since the printing of the lists on pp. 438 and 439 of the present number, the President of the American Historical Association has appointed Mr. Appleton P. C. Griffin, of the Library of Congress, a member of the committee on bibliography; and has made Mr. A. Howard Clark chairman of that committee in the place of Mr. Herbert Putnam.

The Congrès International d'Histoire Comparée will be held at the Collège de France, Paris, from July 23 to 28, 1900. M. Gaston Boissier is president of the committee of organization, M. de Maulde de la Clavière of the executive committee. Those desiring membership may address the general secretary, M. André Le Glay, 10 boulevard Raspail. Beside the general sessions, the proceedings of the Congress will consist

of the sessions of eight sections, devoted respectively to general and diplomatic history, and to the comparative history of institutions and law, social economics, religion, science, literature, the arts of design, and music. M. Henry Houssaye is to be president of the section first named, M. Glasson of that of the history of institutions and law. American members of the first section are requested to correspond with M. Gaillard, professor at the Collège Stanislas, 13 rue de Tournon.

Part XXIV. of Dr. R. L. Poole's *Historical Atlas of Modern Europe* (Clarendon Press) contains the usual three sheets: one of Europe in 1863, with devices showing the changes made in 1866, 1871, 1878, etc., and with letter-press by Professor G. W. Prothero; one of Scotland, with two maps, one showing the situation of Highland clans and Lowland families, the other exhibiting the Parliamentary representation of Scottish shires and boroughs, down to 1832, by Mr. R. S. Rait; and a map of Syria in the time of the Crusades, by Mr. T. A. Archer. Part XXV. represents Germany at the Peace of Westphalia, with letter-press by Rev. J. P. Whitney, reviewing the geographical history of Germany from the Reformation to 1648; the French Empire in 1810, with notes on the annexations and departments, by Mr. H. A. L. Fisher; and the United States after the treaty of 1783. Mr. Hugh E. Egerton describes with substantial correctness the boundary disputes which arose out of that treaty; but the arbitration which he mentions as effected in 1831 by the King of the Belgians was really effected in 1827 by the King of the Netherlands. The map represents Kentucky as admitted in 1782; but the correct date is given in the letter-press. This third plate in Part XXV. contains, beside its main map, three others of smaller size. One shows the French proposals of 1782, according to Jay's statement; another the two lines of frontier agreed to by Oswald in October and November, 1782, respectively, the former from the map in Fitzmaurice's *Shelburne*, the latter from the red-line Mitchell map in the British Museum. The third small map exhibits the boundaries at the north of Maine as claimed by the British and by the Americans, and as settled by the treaty of 1842.

The historical department of the University of Pennsylvania propose several interesting new publications in their series of *Translations and Reprints*. Dr. Merrick Whitcomb, editor of a *Source-Book of the Italian Renaissance*, and of a *Source-Book of the German Renaissance*, already issued, will bring out several volumes of "Sixteenth Century Classics"—Select Colloquies of Erasmus, the Wonder-Book of Johannes Butzbach, the autobiography of Thomas Platter, and the Letters of Obscure Men. A series of selections from the writings of Zwingli will be edited by Dr. Samuel M. Jackson. Dr. Herman V. Ames will bring out a series of pamphlets of *State Documents on Federal Relations; the States and the United States*. Professor Munro edits a selection from the capitularies of Charlemagne, and Dr. William Fairley a selection embracing all the most important parts of the *Notitia Dignitatum*.

No. 101 of the *Old South Leaflets* is *The Rights of War and Peace*, the prolegomena to Grotius *De Jure Belli et Pacis*.

The March number of the *Educational Review* contains a careful article by Professor George E. Howard of Leland Stanford University, reviewing the *Report of the Committee of Seven*.

The Report of the United States Commissioner of Education for the Year 1897-98 contains as its first chapter a history of the German school system, by Dr. E. Nohle, of Berlin, translated from his contribution to Rein's *Encyclopädisches Handbuch der Pädagogik*. It also contains a chapter on the organization and reconstruction of state systems of common school education in the North Atlantic States from 1830 to 1865, by the Rev. Dr. A. D. Mayo.

ANCIENT HISTORY.

A collection of essays entitled *Authority and Archaeology, Sacred and Profane*, edited by Mr. D. G. Hogarth (London, Murray) is intended to present at the end of the century a summary view of the results of archaeological discoveries and the general progress of archaeology, with especial reference to their effects on our conceptions and knowledge of ancient history, Oriental, Biblical and classical. The names of the writers, such scholars as Professor Driver, Professor Ernest Gardner, Mr. Griffith, Mr. Haverfield and Mr. Headlam, and the editor, are a sufficient guarantee of the learning, good judgment and skill with which the object has been pursued.

The committee of the Academy of Inscriptions and Belles Lettres which has in charge the publication of the *Corpus Inscriptionum Semiticarum* began with the beginning of the present year the issue of a *Bulletin Périodique d'Épigraphie Sémitique*, bearing to the *Corpus* the same relation as the *Ephemeris Epigraphica* bears to the Latin *Corpus*, but finding place for critical discussions of known inscriptions as well as for the texts of new ones.

The latest numbers of the *Quarterly Statement* of the Palestine Exploration Fund contain accounts, by Dr. F. J. Bliss, of his excavations at Tell Zakariya and Tell-es-Sâfi.

To the translation of Maspero's *Dawn of Civilization and Struggles of the Nations* Messrs. D. Appleton and Co. have now added, in a similarly handsome illustrated volume, his third work, *The Passing of the Empires*, covering the period from 850 B. C. to 330 B. C. in the history of Egypt, Assyria, Babylonia, Persia and Media. The volume is translated by M. L. McClure and edited by Professor Sayce.

Teachers of ancient history may be glad to know of the ingenious views or restorations of ancient Rome, Carthage, Athens and Jerusalem which M. Paul Aucler has prepared upon the basis of modern archaeological explorations, *Les Villes Antiques* (Paris, Ch. Delagrave, pp. 28, 28,

46 and 50 of letter-press). Rome is represented as it may be supposed to have been in 337 A.D., Athens in 130 A.D., Jerusalem in A.D. 29.

In the *Revue Historique* for January Professor Adolf Bauer of Gratz continues his review of German and Austrian publications in Greek history for the years 1888 to 1898, to be completed in a later number.

At the instance of the family of Siemens, descendants of the historian Drumann, Dr. P. Gröbe is preparing a revised edition of Drumann's *Geschichte Roms in seinem Uebergange von der republikanischen zur monarchischen Verfassung*, of which the first volume has already appeared (Berlin, Gebrüder Bornträger, pp. 484). The peculiar form of the original is preserved, but the results of modern scholarship are incorporated, in the text or in appendixes.

In the *Mittheilungen des k. deutschen Archäologischen Instituts*, Athenische Abtheilung, XXIV. 2, Drs. Conze and Schuchardt give an extensive account (pp. 144) of the work done at Pergamus from 1886 to 1898. In the same journal, XXIII. 3, pp. 275-293, Professors Mommsen and Wilamowitz-Möllendorf published the text of the remarkable inscription, recently discovered at Priene, in which is recorded the action of the authorities of the province of Asia with respect to beginning the civil year with the birthday of Augustus. The language of the inscription, of which the date is probably about B. C. 9, has an important relation to certain passages of the New Testament; these relations are discussed by Harnack in *Die Christliche Welt*, No. 51.

Abbé Duchesne's *Le Forum Chrétien* (Rome, Spithover) contains three sections: I. Les Traditions Apostoliques; II. Les Eglises du Forum; III. Le Forum et la Liturgie.

Noteworthy articles in periodicals: F. Walter, *Das Prophetenthum des Alten Bundes in seinem socialen Berufe* (*Zeitschrift für katholische Theologie*, 1899, 3); L. Ceci, *L'Iscrizione Antichissima del Foro e la Storia di Roma* (*Rivista d'Italia*, 1899, II. 7).

MEDIEVAL HISTORY.

In the *Analecta Bollandiana*, Tom. XVIII., fasc. 3, the principal document is the Greek Acts of Sts. David, Symeon and George of Mitylene, printed from a Laurentian codex at Florence. Daniel Papebroch had taken a copy of these acts, but identifying one of these saints with an April St. George had omitted the document from his February volumes. The same number of the *Analecta* begins a life of Ven. Lukardis, Cistercian, of Oberweimar, born about 1276. This is continued in Fasc. 4, which also contains an interesting article on saints of Istria and Dalmatia, summing up the results acquired by excavations and other archaeological inquiries recently conducted at Salona and at Parenzo. The completion of the Bollandist catalogue of the Greek hagiographical manuscripts of the Vatican library is presented in connection with these two numbers. Of the *Bibliotheca Hagiographica Latina Antiquae et Mediae*

Aetatis three fascicules have now been printed, extending from Abbanus to Iwius, and completing (pp. 687) the first volume.

M. J. Lair's two volumes entitled *Études Critiques sur divers Textes des X^e et XI^e Siècles* (Paris, Picard) consist of studies, marked by great learning and acute criticism, originating in the author's desire to prove the genuineness of an alleged bull in which Pope Sergius IV. (1009-1012) announces to Christendom the destruction of the Holy Sepulchre and calls upon the faithful to avenge the act by a holy war. This M. Lair had published in 1857 as genuine, but it has been rejected by scholars of high repute since then. In the course of argument for his thesis, M. Lair enters into many valuable discussions, e. g., of the letters of Pope Sylvester II. and of the chronicle of Adhemar of Chabannes.

P. Fournier, in the *Revue d'Histoire et de Littérature Religieuses*, IV. 1, gives strong reasons for ascribing to Abbot Joachim of Flora a tract *De Vera Philosophia* which is to be found in a manuscript at Grenoble, and which is of importance to the history of the development of Joachim's thought.

Father Mandonnet's *Siger de Brabant et l'Averroïsme Latin au XIII^e Siècle* (Collectanea Friburgensia, VIII.) illustrates at once the career of a hitherto obscure opponent of Saint Thomas Aquinas, condemned as a heretic in 1277, and also an interesting phase in the development of Aristotelian thought in the Middle Ages. Five brief treatises of the Brabantine philosopher are appended.

A new edition of Colonel Yule's translation of Marco Polo is in the press.

In Tom. IV., Vol. II. of the *Monumenta Ordinis Fratrum Praedicatorum Historica* (Rome, pp. 460) Brother Benedikt Maria Reichert presents the acts of the general chapters of the order from 1304 to 1378.

M. L. Mirot has gathered together into an interesting volume a series of articles published by him in *Le Moyen Age*, with the title: *La Politique Pontificale et le Retour du Saint-Siège à Rome en 1376* (Paris, Bouillon), in which the migration of Gregory XI. is studied from the papal accounts and other Vatican documents.

Noteworthy articles in periodicals: V. Ermoni, *La Pénitence dans l'Histoire* (Revue des Questions Historiques, January); H. M. Gietl, *Die Ursprung der pseudo-isidorischen Dekretalen* (Historisches Jahrbuch, XX. 2, 3); H. Grauert, *Papstwahlstudien* (Historisches Jahrbuch, XX. 2, 3); H. Gelzer, *Die Genesis der Byzantinischen Themenverfassung* (Abhandlungen der k. sächsischen Gesellschaft der Wissenschaften, phil.-hist. Kl., XVIII. 5); G. Hoennicke, *Der Hospitalorden im Königreich Jerusalem, 1099-1187* (Zeitschrift für wissenschaftliche Theologie, XI. II. 3).

MODERN EUROPEAN HISTORY.

In the *Quellen und Forschungen aus italienischen Archiven und Bibliotheken*, Vol. II., Professor Walter Friedensburg, secretary of the Prus-

sian Institute at Rome, has published the correspondence of Gasparo Contarini with Ercole Gonzaga, 1535-1542, and a plan for the campaign against the Schmalkaldic league, May or June 1546. Dr. G. Kupke has brought out three hitherto unknown letters of Melanchthon, of February 1552, preserved in the archives of Modena.

The history of several countries is illustrated, to a greater or less extent, by the autobiography of Catharinus Dulcis, of which Dr. F. Justi has published a German translation, *Leben des Professors Catharinus Dulcis, von ihm selbst beschrieben* (Marburg, Elwert) accompanied with many notes. Dulcis (1540-1626) wandered all over Europe, as tutor to young noblemen, until finally Landgrave Moritz made him professor of foreign languages at Marburg.

Some twenty German officers who took part in the war of 1870-1871 have contributed a chapter each, dealing with the part in which each fought, to a volume on *The Franco-German War*, which has been translated into English and edited by Major-General J. F. Maurice, C. B., and Captain Wilfred J. Long, and published, with many illustrations, by the Macmillan Company.

A new edition, revised and corrected and cheaper in price, of Lieut.-Col. Rousset's *Histoire Générale de la Guerre Franco-Allemande*, has begun to be published at Paris by Montgredien.

Noteworthy articles in periodicals: G. Küntzel, *Die Sendung des Herzogs von Nivernais an den preussischen Hof in 1755* (Forschungen zur Brandenburgischen und Preussischen Geschichte, XII.); H. Hueffer, *La Campagne de 1799: L'Armée Russe en Suisse* (Revue Historique, March); Duc de Broglie, *La Neutralité de la Belgique*, II. *Convocation de la Conférence de Londres* (Revue des Deux Mondes, January 15); C. Day, *The Experience of the Dutch with Tropical Labor*, I. *The Culture System* (Yale Review, February).

GREAT BRITAIN.

The British government has published a new volume of the *Calendar of State Papers, Spanish*, extending from 1587 to 1603; another of the *Calendar of State Papers, Colonial, America and West Indies*, 1685-1688; and the first volume of a new series, *Calendar of Documents preserved in France illustrative of the History of Great Britain and Ireland*, Vol. I., 918-1206, edited by Mr. J. Horace Round.

We learn, though without details, that a committee has been formed in England to promote the establishment of an English historical and archaeological school in Rome, affiliated with the English School at Athens.

Dr. Edward Owen of the Indian Office has compiled for the Cymmrodorion Society a descriptive catalogue of manuscripts relating to Wales, preserved in the British Museum. Professor Hugh Williams of Bala is preparing for the society a new edition of Gildas, with which the

society hopes to begin a series of editions of medieval writers on the history and legendary antiquities of Wales.

The Macmillan Company have published the first two volumes of an important *History of the British Army* (pp. xxxii, 591; xxii, 629), by the Hon. John Fortescue. The end of the second volume brings the work down to the peace of Paris, 1763; the two remaining volumes will reach the year 1870.

Schipper's edition of King Alfred's version of Bede's *Ecclesiastical History*, in Grein and Wülker's *Bibliothek*, is now completed (Leipzig, G. H. Wigand).

Sir Archibald H. Dunbar's *Scottish Kings; A revised Chronology of Scottish History, 1005-1625* (Edinburgh, Douglas, pp. xv, 420), a most useful handbook, contains lists of dates for each reign accompanied in each case with references to the sources which establish the chronology, tables of regnal years, genealogical tables, an alphabetical list of names of Scottish saints and festivals, with their dates, a bibliography of Scottish history, etc.

Dr. James Mackinnon, whose excellent book on the *Union of England and Scotland* appeared in 1896, has in the press of Messrs. Longmans an important work on Edward III.

Under the title, *The Eve of the Reformation* (New York, G. P. Putnam's Sons, pp. 460) Father F. A. Gasquet has gathered together a series of studies in the religious life and thought of the English people in the period indicated. The titles of the essays are: The revival of letters in England; The two jurisdictions; England and the Pope; Clergy and laity; Erasmus; The Lutheran invasion; The printed English Bible; Teaching and preaching; Parish life in Catholic England; Pre-reformation guild life; Medieval wills, chantries, and obits; Pilgrimages and relics.

William H. Woodward's *History of the Expansion of the British Empire, 1500-1870* (Cambridge, University Press, pp. 326) may be cordially commended as one of the best small books on its subject.

The Huguenot Society's fifteenth volume is a *History of the Walloon and Huguenot Church at Canterbury*, by Mr. Francis W. Cross, based on the unpublished records of the church. A list of these records is given in the appendix, together with forty-two documents derived from them.

The Macmillan Company are the American publishers of *Some Account of the Military, Political and Social Life of the Rt. Hon. John Manners, Marquis of Granby* (pp. 463), by Mr. Walter Evelyn Manners, with a portrait after the painting by Sir Joshua Reynolds.

Mr. John Murray publishes a small edition of the *Notes* from the private journal of the Right Hon. John Evelyn Denison, kept during his twenty-five years' service as Speaker of the House of Commons.

The Memoirs and Correspondence of Lord Playfair, published by Harper and Brothers, have been written and edited by Sir T. Wemyss Reid, from a fragment of autobiography left unfinished when Lord Playfair died. Americans will be especially interested in the record of Lord Playfair's good offices exercised at the time of the Venezuelan dispute in 1895. The history of the affair is fully presented in the volume, which contains the whole series of letters exchanged between Mr. Chamberlain, Lord Playfair, and Mr. Bayard.

In view of the present interest in South Africa, the delegates of the Oxford University Press have made a special issue of the *History of South Africa*, by Mr. C. P. Lucas, of the Colonial Office, which comes down to the Jameson raid, and is furnished with additional maps.

Mr. W. Broderick Cloete has brought out a new edition of the *History of the Great Boer Trek, and the Origin of the South African Republics* (Scribner, pp. 196), by his grandfather, Henry Cloete, H. M. High Commissioner for Natal in 1843 and 1844.

Messrs. Scribner are the American publishers of *The Memoirs of Princess Mary, Duchess of Teck*. The memoirs, in two volumes, are based on her diaries and letters, and are filled with reminiscences of Queen Victoria's court during the last fifty years, and of royal and other distinguished personages. The volumes are handsomely illustrated.

Noteworthy articles in periodicals: Zimmermann, *Zur kirchlichen Politik Heinrichs VIII. nach der Trennung von der römischen Kirche* (Römische Quartalschrift, 1899, 2-3); E. P. Cheyney, *The Disappearance of English Serfdom* (English Historical Review, January); F. Watson, *The State and Education during the Commonwealth* (English Historical Review, January); J. Morley, *Oliver Cromwell* (Century, January-March); T. Roosevelt, *Oliver Cromwell* (Scribner's Magazine, January-March); J. H. Round, *Cromwell and the Electorate* (Nineteenth Century, December); *The Years before the Raid* (Quarterly Review, January).

FRANCE.

M. G. Gavet, professor of the history of law in the University of Nancy, has published (Paris, Larose), chiefly for the use of students of the history of law and of institutions, an excellent bibliographical manual entitled *Sources de l'Histoire des Institutions et du Droit Français*, preceded by an introduction on historical methods as applied to legal and constitutional history, and followed by a glossary.

The Société de l'Histoire de France has published the first of three volumes in which it will gather together the passages relating directly or indirectly to French history in the Journal of Antonio Morosini, a source rich in details for the history both of French enterprise in the East, French politics and French commerce in the latter part of the fourteenth century and the beginning of the fifteenth. M. L. Dorez has provided the translation from the Venetian Italian of the original, M. G. Lefèvre-

Pontalis the notes and introduction. Vol. I. extends from 1396 to 1413. The society has also published the sixth volume of the *Lettres de Louis XI.*, 1475-1478, ed. J. Vaesen, and the first volume of its new series, *Lettres de Charles VIII.*, ed. Pélicier, letters extending from 1483 to 1488, gathered from all over Europe. It has also brought out the first of three volumes of the inedited *Mémoires du Chevalier de Quincy*, 1697-1703, presenting a highly interesting picture of military life at the end of the reign of Louis XIV.

M. A. Marignan has published two remarkable volumes of a series of *Études sur la Civilisation Française* (Paris, Bouillon), of which the first deals in general with Merovingian society, while the second is entirely devoted to the subject of the cult of the saints in Merovingian times.

The Academy of Inscriptions and Belles-Lettres has nearly ready Vol. XXIV. of the *Recueil des Historiens*.

Father Denifle has followed up his documentary publication, *La Désolation des Églises*, etc., in France by a general history, *La Guerre de Cent Ans* (Paris, Picard, pp. 864), based on thorough study of printed sources and especially of the rich materials for the subject contained in the archives of the Vatican.

M. Henri Welschinger's *La Mission Secrète de Mirabeau à Berlin*, 1786-1787 (Paris, Plon, pp. 522) is printed from Mirabeau's drafts, now preserved in the archives of the French Foreign Office, of those secret reports to Talleyrand which were published in 1789 (but with some sophistications) as the *Histoire Secrète de la Cour de Berlin*. To these are added the remarkable letter of Mirabeau to Talleyrand of March 14, 1787 (a sort of preliminary sketch of the *Monarchie Prussienne*), and extracts from the reports of the French envoy Esterno in Berlin. Since the preparation of the book the Prussian Foreign Archives have by chance acquired a considerable parcel of the letters of Talleyrand to Mirabeau.

In a book called *Quelques Préliminaires de la Révocation de l'Édit de Nantes en Languedoc* (Toulouse, Privat) M. P. Gachon has studied with great care the measures by which, from 1661 to 1685, the Protestants of the south of France were oppressed by the royal and local governments.

M. Frantz Funck-Brentano has published, in a series of bibliographies published by the Société des Études Historiques, *La Prise de la Bastille*, a bibliography comprising information as to both unprinted and printed sources.

The fourth volume of M. Alexandre Tuetey's *Répertoire Général des Sources Manuscrites de l'Histoire de Paris pendant la Révolution Française* (Paris, Imprimerie Nouvelle, pp. xxxv, 652) is devoted to the bibliography of the chief events of the legislative Assembly, down to the tenth of August, 1792. The editor, in his introduction, gives a fresh critical study of the events of that day.

Of the other government publications on the French Revolution, the *Paris pendant la Réaction Thermidorienne et sous le Directoire*, ed. Aulard, advances to March 10, 1797 (Vol. III.), and the *Recueil des Actes du Comité de Salut Public*, ed. Aulard, to April 22, 1794 (Vol. XII.).

Commandant Boppe, whose *Légion Portugaise* was received with favor on its publication, has published another study of Napoleon's foreign contingents, *Les Espagnols à la Grande Armée* (Paris, Berger-Levrault, pp. 259), dealing with the corps which served under La Romana and with the Régiment Joseph-Napoléon.

The so-called *Mémoire de Pons de l'Hérault aux Puissances Alliées*, which the Société de l'Histoire Contemporaine has lately published (Paris, Picard, pp. lvi, 374) is in reality a personal or autobiographical memoir, which owes its interest to the fact that its author was director of mines on the island of Elba at the time when Napoleon came there in 1814, and that, speedily becoming an enthusiastic devotee of the Emperor, he had some part in his escape and in the early movements of the Hundred Days.

The seventh volume of the *Souvenirs du Baron de Barante* covers the years 1841 to 1851, and contains much interesting matter relating to 1848, selections from which were printed, last May and June, in the *Correspondant* and the *Revue de Paris*.

To Vol. XXI. et seqq. of the *Revue Politique et Parlementaire* M. Fournier contributes a systematic list of the French parliamentary publications since 1871.

M. Léon Muel's *Les Crises Ministérielles en France de 1875 à 1898* (Paris, P. Mouillot, pp. 134) gives from official sources a chronological list of ministers, a history of the decisive interpellations and of the fall of cabinets, and documents and indices.

M. Lacave-La Plagne-Barris's cartulary of the cathedral chapter of St. Mary at Auch (*Archives Historiques de la Gascogne*, II. 3, Paris, Champion) has unusual importance as being one of the first important cartularies published that relate to Gascony, to whose history it is a serious contribution.

Noteworthy articles in periodicals: E. Glasson, *L'Évolution de la Propriété Foncière en France pendant la Période Monarchique* (*Comptes-Rendu de l'Académie des Sciences Morales et Politiques*, November); R. Poupardin, *Les Grandes Familles Comtales à l'Époque Carolingienne* (*Revue Historique*, January); A. Luchaire, *La Condamnation de Jean Sans-Terre par la Cour de France* (*Revue Historique*, March); C. de la Roncière, *L'Invasion Anglaise sous Charles VI. Dernières Batailles Navales* (*Revue des Questions Historiques*, January); A. Spont, *Les Français à Tunis, de 1600 à 1789* (*Revue des Questions Historiques*, January); B. E. O'Meara, *Talks with Napoleon* (*Century*, February, March); A. Stern, *Der Grosse Plan des Herzogs von Polignac vom Jahre 1829* (*Historische Vierteljahrschrift*, III. 1).

ITALY, SPAIN.

M. Leon G. Pélissier presents, in the January number of the *Revue des Questions Historiques*, a summary review of recent books of Italian history written in Italy.

Francesco Campana was the chief secretary of Cosimo de' Medici. Little has been known of him hitherto; but in the *Archivio Storico Italiano*, No. 214, Signor Francesco Dini, sub-archivist of the state archives of Florence, presents a full study of his life and family, based on documents which are printed in No. 215.

Vol. XXII., fasc. 3-4, of the *Archivio della R. Società Romana di Storia Patria* contains an article by M. Rosi on the conspiracy of Giacinto Centini against Urban VIII. in 1635, an interesting anonymous letter describing the magnificent entertainment provided for Clement VI. by two of his cardinals at Avignon in 1343, and continuations of the documents of the monastery of Saints Cosmas and Damianus in Mica Aurea and of G. Tommassetti's archaeological studies of the Roman Campagna.

At the instance of the University of Catania, Professor Remigio Sabadini has begun the preparation of a scholarly history of the University. Part I. (Catania, C. Galatola, pp. 126) contains a careful historical narrative extending from the foundation in 1444 to 1500, and a larger collection of documents.

The *Boletín* of the Royal Academy of History at Madrid for July-September, 1899, contains a catalogue of the documents of the Order of Calatrava and of the Cortes of the kingdom of Navarre from 1411 to 1828.

Dr. Konrad Häbler, unwearied in his contributions to Spanish history, makes use of the *Wallfahrtsbuch des Hermannus König von Vach* as the ground of a small volume on the German medieval pilgrimages to Santiago de Compostella (Strassburg, Heitz).

M. Desdèvis du Dezert has added a second volume, on institutions, to his great work on *L'Espagne de l'Ancien Régime* (Société Française de Librairie).

Noteworthy articles in periodicals: R. Davidsohn, *Ueber die Entstehung des Konsulats in Toskana* (Historische Vierteljahrschrift, III. 1); E. Armstrong, *The Sienese Statutes of 1262* (English Historical Review, January); F. C. Pellegrini, *Cosimo de' Medici* (Archivio Storico Italiano, XXIV. 3); G. Koch, *Die Entstehung der italienischen Republik, 1801-2* (Historische Zeitschrift, LXXXIV. 2); G. de Grandmaison, *Savary en Espagne*, 1808 (Revue des Questions Historiques, January).

GERMANY, AUSTRIA, SWITZERLAND.

We note the completion of the third volume of the *Epistolae Karolini Aevi* in the series of the *Monumenta*; the issue of Vol. LXXIV. of the *Publikationen aus den k. preussischen Staatsarchiven*, Prussian and

Austrian documents on the preliminaries of the Seven Years' War, edited by Gustav Berthold Volz and Georg Küntzel (Leipzig, Hitzel, pp. clxxxiv, 764); and of the twenty-fifth volume of the *Politische Correspondenz Friedrich's des Grossen* (Berlin, Duncker, pp. 405).

The second edition of Böhmer's *Regesta Imperii*, Carolingians, part I. (Innsbruck, Wagner, pp. 480), prepared by Professor Engelbert Mühlbacher of Vienna, contains only 34 more documents than its predecessor, but is much enlarged in other respects, as the result of the labors of various scholars in this field during the last two decades.

A general organ or intermediary for German students of local history has been founded by Herr Armin Tille. It is named *Deutsche Geschichtsblätter, Monatsschrift zur Förderung der landesgeschichtlichen Forschung*, and it is published at Gotha by Perthes. The first number, that of October, 1899, contained a general article on *Landesgeschichte* by Dr. Karl Breysig, one on the military institutions of the medieval towns, by Georg Liebe, and one on descriptions of Germany in the time of the Reformation, by V. Hantzsch.

Vol. 84 of the *Archiv für österreichische Geschichte* contains an elaborate and important constitutional study by Dr. Heinrich Kretschmayr on the office of vice-chancellor of the Empire, 1519-1806.

Professor Erich Brandenburg of Leipzig, author of a well-known work on the Elector Maurice, has brought out the first volume (-1543) of a collection of the *Politische Korrespondenz des Herzogs und Kurfürsten Moritz von Sachsen* (Leipzig, Teubner, pp. xxiv, 761). The work is one of those sustained by the Saxon Historical Commission.

In the *Zeitschrift für die Geschichte des Oberrheins*, XIV. 4, Dr. O. Winkelmann makes an important contribution, the result of a variety of investigations, to the history of Sleidan and his works.

In the Vienna Academy's *Fontes Rerum Austriacarum* the latest volume (Bd. XLIX.) is Fed. von Demelitsch's *Actenstücke zur Geschichte der Coalition vom Jahr 1814* (Vienna, Gerold, pp. xiv, 452).

It is confidently expected that large additions to the recent Bismarck material will be made by the approaching publication (Munich, Albert Langen) of Dr. Hans Blum's *Persönliche Erinnerungen an den Fürsten Bismarck*.

Dr. Hans Prutz has brought out two volumes of *Preussische Geschichte* in the Heeren and Ukert series (Stuttgart, Cotta), the one narrating the early history of Brandenburg and Prussia, to 1655, the other the period from 1655 to 1740.

At the meeting of the Saxon Historical Commission on December 16, 1899, it was announced that the first volume of the *Acten und Briefe Herzog Georgs*, edited by Professor Gess, was ready for printing; that the *Lebensbuch Friedrichs des Strengen*, 1349, was nearly ready; and that the correspondence of the Electress Maria Antonia with the Empress

Maria Theresa was so far advanced that printing might be begun before the close of 1900.

Dr. Albin König has published in the *Leipziger Studien* a volume of much value and interest on *Die Sächsische Baumwollenindustrie am Ende des vorigen Jahrhunderts und während der Kontinentalsperre* (Leipzig, Teubner, pp. 370), in which he has traced with much care the early development and organization of the cotton industry in Saxony down to 1806, the effects of English competition before this time and during the prevalence of the Continental System, and the general results of that system on this branch of industry in Saxony.

The Swiss government, after extensive researches carried on upon its behalf at Vienna, has begun the publication of a new documentary series, *Urkunden zur Schweizer Geschichte aus Oesterreichischen Archiven*. The first volume (Basel, A. Geering, pp. xvi, 634) edited by Rudolf Thommen, extends from 765 to 1370. The government has also brought out the seventh volume of its *Amtliche Sammlung der Acten aus der Zeit der Helvetischen Republik*, ed. Johannes Strickler (Basel, Geering, pp. 1614) extending from June 1801 to May 1802.

M. Édouard Rott, after long researches in the Archives of Paris, has brought out an important volume on *Perrochel et Masséna et l'Occupation Française en Helvétie, 1798-1799* (Neuchâtel, Attinger, pp. 375), of which a portion was read at the meeting of the Société Générale d'Histoire Suisse, at Altdorf last September.

Noteworthy articles in periodicals: E. Glasson, *Le Rôle Politique du Conseil Souverain d'Alsace* (*Revue Historique*, January); T. Schiemann, *Zur Würdigung der Konvention von Taurigen* (*Historische Zeitschrift*, LXXXIV. 2); P. Matter, *La Prusse au temps de Bismarck; Le Landtag Uni de 1847* (*Revue Historique*, March).

NORTHERN AND EASTERN EUROPE.

Professor Oskar Alin of Upsala has published (Stockholm, Norstedt) the first volume of a careful work on the period of Bernadotte's regency, *Carl Johan och Sveriges Yttre Politik, 1810-1815*.

Mr. R. Nisbet Bain has followed up his book on *The Pupils of Peter the Great* by a book entitled *The Daughter of Peter the Great* (Westminster, Constable, pp. 342) being a history of Russian diplomacy and the Russian court under the Empress Elizabeth, 1741-1762.

Professor August Fournier of Vienna contributes to the *Mittheilungen des Instituts für österreichische Geschichtsforschung*, XX., a first paper on the history of the Polish question in 1814 and 1815, in which he displays the attitude originally held by Metternich as to the cession of Saxony to Prussia, and the relation of this to the question of Poland.

Messrs. Houghton, Mifflin and Co. have published, in a volume entitled *Memoirs of a Revolutionist* (pp. 519), the autobiographical papers which Prince Kropotkin has been contributing to the *Atlantic Monthly*, now enlarged by considerable additions.

In *The Heart of Asia: A History of Russian Turkestan and the Central Asian Khanates*, by Francis Henry Skrine and Edward Denison Ross (Londo., Methuen), Mr. Ross gives an admirable history of that region from the earliest times to those of Nasr-Allah, treating however with especial fulness and learning the period before the death of Jinghiz Khan; while Mr. Skrine surveys, from the point of view of an expert Anglo-Indian official, the history of recent years and the process of Russification.

AMERICA.

Mr. R. R. Bowker has brought out Part I. of his *State Publications: A Provisional List of the Official Publications of the Several States of the United States from their Organization* (New York, *The Publishers' Weekly*, pp. 99). This first part embraces the New England States. The whole work will consist of three or more parts. It is modelled in general plan upon the lists of state publications included as appendices in the *American Catalogue* of 1884-1890, and in that of 1890-1895, but covers the publications of the states from their organization to the present time. It is based upon material furnished from the state libraries and other libraries interested in the work and upon printed catalogues and documents, and is of considerable value to historical students.

Profesor Edwin E. Sparks of the University of Chicago has brought out a new edition (Columbus, A. H. Smythe, pp. 96) of his *Topical Reference Lists in American History*, first published in 1893.

Messrs. Houghton, Mifflin and Co. have published the second volume of Mr. S. M. Hamilton's edition of *The Letters to Washington*, preserved in the archives of the Department of State. The years covered are 1756-1758.

M. Henri Doniol has at last completed his monumental *Participation de la France à l'Établissement des États-Unis de l'Amérique* (Paris, Imprimerie Nationale) by adding a supplement to Vol. V., devoted to the treaty of Versailles and its results.

Among recent contributions to the history of the War of 1812 on the Canadian frontier, we may mention Mr. Lewis Babcock's *The Siege of Fort Erie* (Buffalo, the Peter Paul Book Co., pp. 64); a new and revised edition of Lieut.-Col. E. Cruikshank's *Drummond's Winter Campaign*, published by the Lundy's Lane Historical Society; and a brief paper on *The Battle of Queenston Heights*, by Mrs. S. A. Curzon, published by the Women's Canadian Historical Society of Toronto.

The Johns Hopkins Press expects to issue in April Dr. John H. Latané's lectures on *The Diplomatic Relations between the United States and Spanish America*, the first volume of the "Albert Shaw Lectures on Diplomatic History," sustained by Dr. Albert Shaw, of New York.

Nineteen confidential letters of Justice McLean, written between 1846 and 1859, were printed in the last October number of the *Bibliotheca Sacra*.

The Michigan Political Science Association has just printed a *History of the Clayton-Bulwer Treaty* (pp. 312) by Dr. Ira Dudley Travis.

The Record and Pension Division of the War Department has compiled from official records and published an *Executive and Congressional Directory of the Confederate States* (pp. 12).

Messrs. Harper and Brothers expect to publish this spring *The Letters and Reminiscences of Robert E. Lee*, edited by his son, Capt. R. E. Lee, a volume which is expected to throw new light upon Confederate history during especially the closing days of the war.

Mr. Melville M. Bigelow, has been appointed by the governor of Massachusetts to continue Mr. A. C. Goodell's *Acts and Resolves of the Province of Massachusetts Bay*.

From Mr. Robert T. Swan's *Twelfth Report on the Custody and Condition of the Public Records of Parishes, Towns and Counties* (Massachusetts) we learn that the following records have been put into print since a year ago: Fitchburg, town meetings and selectmen, 1764-1806; Franklin, births, marriages and deaths, 1778-1872; Lexington, births, marriages and deaths, from the earliest record to 1897.

In the *Monthly Bulletin* of the Boston Public Library for January is printed a letter of Jesse Lukens to John Shaw, jr., written from the camp at Prospect Hill on September 13-18, 1775.

The Westborough Historical Society has printed a *Diary of the Rev. Ebenezer Parkman, of Westborough, Mass.* (pp. 327), embracing several months in 1737, November and December, 1778, and the years 1779 and 1780. The volume is edited by Miss Harriette M. Forbes.

The Preston and Rounds Company, of Providence, have published *The Diary of Col. Israel Angell* (pp. 149), edited from the original manuscript by Mr. Edward Field. Colonel Angell commanded the Second R. I. Continental Regiment in the Revolution. The diary extends from 1778 to 1781.

In a paper read before the New Haven Colony Historical Society Professor Simeon E. Baldwin considers *The Authorship of the Quatre Lettres d'un Bourgeois de New-Heaven* published in Mazzei's *Recherches* (letters in reality written by Condorcet).

Mr. John Hooker of Hartford, a well-known lawyer, publishes a considerable volume entitled *Some Reminiscences of a long Life* (Hartford, Belknap and Warfield, pp. 351). Mr. Hooker, son of that Edward Hooker of whose diary a portion was published in the first Report of the Historical Manuscripts Commission, was born in Connecticut in the early years of the present century. An appendix contains articles on social life in Farmington, Connecticut, early in the century, and on the early abolition movement, in which Mr. Hooker took part.

The December *Bulletin* of the New York Public Library completes Benavides's report on New Mexico in 1626, and gives a letter of Governor

McKean written from Pittsburg at the time of the Whiskey Insurrection. That of January contains Cromwell's letter to John Cotton possessed by the Library and often printed before. That of February prints thirteen letters of Monroe—the nervous and self-conscious Monroe of early days—recently acquired by the Library. With Mr. S. M. Hamilton's *Writings of James Monroe* approaching their period, these letters might perhaps have been left to take their proper place in his collection. The Library has recently acquired sets of the *Atti del Parlamento Italiano* and of the *Gazetta Ufficiale del Regno d'Italia*, extending from 1845, 424 volumes, an important collection of books relating to Mormonism, 202 letters from and to J. A. Hamilton, and a continuation of its Loyalist transcripts.

Mr. Francis P. Harper of New York has printed a complete *Historical Index to the Manuals of the Corporation of the City of New York*, better known as "*Valentine's Manuals*," in whose twenty-eight volumes, issued from 1841 to 1870, a large and often valuable amount of historical matter is distributed with a disregard to system that has called loudly for an index. That which is now printed contains 2325 references.

Mr. Arthur J. Weise has written for Major William Merrill Swartwout *The Swartwout Chronicles*, a history of the Swartwout family of Friesland and America from 1338 to 1899, which contains material of some importance to our political history. The book is intended for private distribution and is limited to 100 copies.

The January number of the *Pennsylvania Magazine of History* opens with a description of the Philadelphia State-House derived from a magazine issued in manuscript in 1774 by the boys of Robert Proud's Latin school. Lieut. Richard Meade Bache dissects the legend as to Franklin's suit of Manchester velvet, worn at the Cockpit when Wedderburn attacked him, and sometimes alleged to have been worn when the treaty of Versailles with Great Britain was signed. The statement as to the Penns and the taxation of their estates is continued, and that of their general title to their estates in Pennsylvania is concluded. The editor prints a group of Revolutionary letters from Gen. Woodford of Virginia, a report of Gov. Keith to the Lords of Trade, 1717, notes on the battle of Germantown, by Captain Friedrich Ernst von Münchhausen, and a very interesting letter written by Henry Clay in 1827, and giving a detailed account of his acquaintance and personal intercourse with Gen. Jackson up to that time.

Mr. J. F. Sachse is about to follow up his *German Pietists of Pennsylvania*, 1694-1708, and his *German Sectarians of Pennsylvania*, 1708-1742, with a second volume of his *German Sectarians*, covering the years 1742-1800. Mr. Sachse has also prepared a volume entitled *The Fatherland in its Relation to Pennsylvania*, 1450-1700, which is brought out as Part I. of a *Narrative and Critical History* prepared at the request of the Pennsylvania German Society and published in a very small edition by

William J. Campbell of Philadelphia, the publisher of his former books. Part III. of the same narrative and critical history is *The German Emigration to America, 1709-1740*, by Professor Henry E. Jacobs of the Lutheran Theological Seminary.

The November number of the *Confederate Veteran* contains Dr. Hunter McGuire's report on school histories in the South, presented to the Virginia veterans at Pulaski City last autumn; also an account by Judge Walter Clark of the progress made in preparing a history of North Carolina under the Confederacy.

In the *Johns Hopkins University Studies*, XVII. 9, 10, 11, Professor George W. Ward of Western Maryland College gives a careful and intelligent account of The Early Development of the Chesapeake and Ohio Canal Project, an episode in the history of "internal improvements" by Federal aid, when that finally failed, by state aid. XVII. 12 is on Public Educational Work in Baltimore, by Professor Herbert B. Adams.

The late Henry Stevens, prior to his death in 1886, had completed an edited reprint of Harriot's *Virginia*, which is now presented to the public in two volumes, by the firm of Henry Stevens, Son and Stiles, of London. The first volume (pp. 200) is a biography of the author, *Thomas Harriot the Mathematician, the Philosopher and the Scholar*; the second contains a verbatim reprint of the rare *Briefe and True Reporte of the New-Found Land of Virginia*. The edition is a small one.

The *Proceedings* of the Virginia Historical Society at their annual meeting on December 30, 1899, reports the society to have 777 members. The library has acquired, among other papers, a large collection relating to the Corbin family, and letter-books of Ralph Wormeley, Jr., of "Rosegill," Middlesex County, and of Rev. Stith Mead, an early Virginia Methodist minister. The society's catalogue of its manuscripts is reported as nearly ready for publication.

In the January number of the *Virginia Magazine of History*, beside continuations of some of the papers heretofore printed, we find a series of documents relating to the Vigilance Committee of 1813 and 1814, organized to provide against threatened British attack; papers relating to the Virginian citizenship of John Paul Jones; and one more series of items relating to Virginian libraries of the colonial period, with a convenient bibliography of the many such lists published in recent years.

Dr. William E. Dodd is engaged in the interesting and worthy task of preparing a biography of Nathaniel Macon, and would be glad to know of any materials relating to the subject. His address is Hickory Grove, N. C.

My Life and Times, 1810-1899, by John R. Adger, D.D. (Richmond, Presbyterian Committee of Publication, pp. 681) has a decided interest as a contribution to the religious history of the Southern states. The author was for twelve years a missionary of the American Board in

Turkey, for five years a missionary to the negroes in Charleston, S. C., and afterwards a teacher in the theological seminary in Columbia. His reminiscences cast light on the contest respecting the American Board and abolitionism, the schism which resulted in the separate organization of the Southern Presbyterian Church, the Civil War, and the ecclesiastical condemnation of Professor Woodrow for teaching the doctrine of evolution.

The legislature of the state of Mississippi has lately passed an act providing for the appointment of a History Commission, like that of Alabama, to make inquiries and reports regarding the manuscript sources of the history of the state, and appropriating two thousand dollars to the State Historical Society to enable it to enlarge the scope of its activities.

The October number of the *American Historical Magazine* of Nashville contained, beside its installment of the letters of Robertson, General Jackson's report of the battle of the Horse-shoe, letters of General Sam Houston relating to his resignation as governor of Tennessee, and a group of letters of Governor Joseph McMinn, 1818, 1819.

An account of the archives of the Catholic cathedral church of New Orleans, the old parish church of St. Louis, is given in the *Publications of the Southern History Association* for January, pp. 75-77.

The Statute Law Book Co. of Washington have reprinted in limited editions of only 50 copies two rare books of Arkansas statutes; the *Acts passed at the Ninth Session of the General Assembly of the Territory of Arkansas*, October-November, 1835, and the *Laws of the Territory of Arkansas*, 1821.

In the January *Quarterly* of the Texas State Historical Association Professor James Q. Dealey demonstrates that the Mexican constitution of 1824 had for its real model the Spanish (Cadiz) constitution of 1812, rather than, as often alleged, that of the United States. Mr. Bethel Coopwood continues his study of the route of Cabeza de Vaca.

By vote of the Commissioners' Court of Bexar County the University of Texas came into possession some time ago of the Archives of Bexar, or official archives of Spanish and Mexican Texas, a collection of historical manuscript embracing between three and four hundred thousand pages, and of priceless value for early Texan history. Dr. Lester G. Bugbee has reprinted in a small pamphlet, *The Archives of Bexar*, the preliminary account of these treasures which he wrote for the *San Antonio Express* and the *University Record*.

The Illinois State Historical Society held its first annual meeting on January 5 and 6, at Peoria. Since there is already a State Historical Library (whose president is also president of the new organization), the Society will devote itself at present to publication and to the work of stimulating and organizing local historical research.

The citizens of De Pere, Wisconsin, have erected a boulder monument to the memory of Father Claude Allouez, near the site of the Mis-

sion of St. Francis Xavier, which was established by Allouez at De Pere Rapids in the winter of 1671-1672. The monument was unveiled by the State Historical Society in September last.

In three recent bulletins the State Historical Society of Wisconsin gives "Suggestive Outlines for the Study of Wisconsin History," topics with bibliography; a selected list of printed material relating to the history of Wisconsin, accompanied by a classified list of the papers and documents which have appeared in the Society's volumes; and a set of sensible "Suggestions to Local Historians in Wisconsin," revised from a former bulletin.

The January number of the *Annals of Iowa* is mainly occupied with a history by Hon. John A. Kasson of "The Fight for the New Capitol," and with an account of the Quakers in Iowa by D. C. Mott.

Mr. Charles F. Lummis, in the eleventh volume of his magazine, *The Land of Sunshine*, published at Los Angeles, has begun the printing of a translation of Fray Zarate-Salmeron's *Relacion* concerning New Mexico, 1538-1626.

The *Annual Report of the Ontario Historical Society* for 1899 furnishes the minutes of their meetings and the reports of a dozen local and other affiliated societies. The Ontario Historical Society has also published the first volume of a series of *Papers and Records* (Toronto, William Briggs, pp. 140) containing long lists of names found in marriage and baptismal registers, short papers relating to the settlements of the Loyalists, and the reports of David Thompson, a surveyor who had much to do with determining questions between the United States and Canada as to the ownership of the islands in the boundary rivers.

The *Annual Transactions* of the United Empire Loyalists' Associations of Ontario, for the year ending March 9, 1899 (Toronto, Church of England Publishing Co., pp. 121) contains several interesting documents relating to the earlier days of Ontario, the War of 1812 and the fortunes of individual Loyalists.

Queen's Quarterly (Kingston, Canada) is printing installments of the early quarter-sessions records of Ontario, edited by Professor Adam Shortt.

Mr. Benjamin Sulte, of the Department of Militia and Defence in the Dominion Government, has written a brief *Histoire de la Milice Canadienne-française, 1760-1897* (Montreal, Desbarats et Cie., pp. 148), containing an authoritative record of the military services of the Canadian-French during the period indicated. It has been recently published in a handsome volume by the officers of the 85th Battalion (Montreal) of the Volunteer Canadian Militia, to commemorate the Queen's Jubilee. Mr. Sulte has also printed an excellent narrative of the Chateauguay campaign, *La Bataille de Chateauguay* (Quebec, Raoul Renault, pp. 130).

Noteworthy articles in periodicals: C. H. Levermore, *Thomas Hutchinson, Tory Governor of Massachusetts* (New England Magazine, February); J. Brigham, *State Historical Collections in the Old Northwest* (Forum, January); *The Venezuelan Arbitration* (Edinburgh Review, January); G. Edmundson, *The Dutch Power in Brazil*, II. (English Historical Review, January).

